



ANIL KUMAR

...Petitioner

Vs.

MUNAWWAR JAMAL

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. S.K. Bishnoi, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present petition has been filed seeking issuance of appropriate directions to the learned District Judge, Karnal, to decide the transfer application bearing No. TA-57-2026, in a time-bound and expeditious manner.

2. Learned counsel for the petitioner submitted that petitioner is a decree-holder and has instituted Execution Petition No. 297-2020 for enforcement of a lawful decree passed in his favour. The learned Executing Court had been proceeding with the matter, and the judgment debtor had been directed to execute the sale deed in favour of the petitioner/decreed-holder upon completion of requisite formalities. However, despite the said directions, the judgment debtor has failed to comply and has adopted dilatory tactics to delay the execution of the decree. It is further submitted that the execution petition has been repeatedly adjourned, allegedly due to external pressures, as certain influential members of the Bar Association have shown interest in the litigation. As a consequence, the proceedings before the learned Executing Court have not progressed effectively, and the matter has been adjourned from time to time without sufficient cause. Left with no efficacious alternative remedy, the petitioner was constrained to file transfer application seeking



transfer of the execution petition to another Court of competent jurisdiction, so as to ensure that the execution proceedings are conducted fairly, independently, and without any external pressure or influence. The said transfer application was filed on 02.04.2026.

3. Upon filing of the transfer application, notice was issued for 10.04.2026, on which date the respondent appeared through counsel. Thereafter, the matter was adjourned to 15.04.2026, and the comments of the Presiding Officer of the learned Executing Court were called for. On 15.04.2026, the comments of the Presiding Officer were duly received, and the matter was thereafter adjourned to 06.05.2026 for consideration of the transfer application. It is submitted that, in the interregnum, owing to the pendency of the transfer application, the proceedings in the execution petition have virtually come to a standstill. The petitioner, despite being a decree-holder, has been deprived of the fruits of the decree for an inordinate period, and the continued delay is causing irreparable loss and injury to the petitioner.

4. In these facts and circumstances, the present case is a fit one for exercise of the supervisory jurisdiction of this Court under Article 227 of the Constitution of India, to ensure that the ends of justice are met and the proceedings are not unduly delayed. Accordingly, the present revision petition is disposed of with directions to the learned District Judge, Karnal, to decide the transfer application bearing No. TA-57-2026, strictly on merits, preferably on the date already fixed, i.e., 06.05.2026.

04.05.2026
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(VIRINDER AGGARWAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*