



CR-8247-2025

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

113

CR-8247-2025

Date of Decision: 27.01.2026

Anil Bedi

...Petitioner

Versus

Surinder Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Vishal Sharma, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 01.05.2025 (Annexure P-4) passed by the learned Civil Judge (Jr. Division), Ludhiana, as well as the order dated 24.09.2025 (Annexure P-6), whereby the application for review/modification of the order dated 01.05.2025 has been dismissed.

2. "Brief facts of the case are that respondent No.1 – Surinder Singh son of Avtar Singh – filed a suit seeking recovery of Rs.15,76,300/- along with interest. Notice of the said suit was issued to the present petitioner along with other defendants. However, the petitioner/defendants No.1 to 4 failed to appear before the learned Civil Judge (Jr. Division), Ludhiana and, consequently, were proceeded against ex parte. Ultimately, the suit was decreed in favour of the plaintiff/respondent No.1 for recovery of Rs.13,70,800/- along with interest vide judgment and decree dated 25.08.2023. Thereafter, the respondents filed an execution application before the learned trial Court. Simultaneously, learned counsel



for the petitioner/judgment debtor filed an application seeking stay of the execution proceedings till the decision of the application filed under Order IX Rule 13 read with Section 151 CPC. However, the said application was dismissed by the learned trial Court vide order dated 01.05.2025. It was held in para 6 of the impugned order that proceeding further with the execution without awaiting a decision on the application under Order IX Rule 13 CPC would not serve the ends of justice and, accordingly, the application was disposed of with a direction that Judgment Debtor No.3 shall deposit 15% of the total decretal amount on or before 30.05.2025 and, subject to such deposit, further proceedings in the execution shall remain adjourned. Thereafter, the petitioner/judgment debtor filed an application for review/modification of the order dated 01.05.2025, which too came to be dismissed vide order dated 24.09.2025.

3. Learned counsel for the petitioner contends that the present petitioner has been directed to deposit 15% of the total decretal amount, which is not justifiable. It is further contended that an application for setting aside the judgment and decree dated 25.08.2023 has already been filed and, therefore, till the decision of the said application, the operation of the impugned order deserves to be stayed.

4. In view of the nature of the order proposed to be passed, issuance of notice to the respondents is dispensed with, as it would only delay the proceeding and cause unnecessary expenditure to the respondents.

5. I have heard learned counsel for the petitioner and has gone through the paper book.

**CR-8247-2025****3**

6. In view of the above submissions, the present revision petition is disposed of with a direction to the learned Civil Judge (Jr. Division), Ludhiana, to decide the application under Order IX Rule 13 CPC within a period of two months from today. Till the decision of aforesaid application, the operation of the impugned orders dated 01.05.2025 and 24.09.2025 shall be stayed.

7. Pending applications, if any, shall stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

27.01.2026***anil***

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No