

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

129

CR-2026 of 2021 (O&M)
Date of decision: 30.09.2022

Bawa Singh and others ..Petitioners
Versus

Bachno (Deceased) through her LR Baljit Kaur ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Akshay Bhan, Sr. Advocate, with
Mr. Santosh Sharma, Advocate, for the petitioners.

Mr. R.V.S.Chugh, Advocate, for the respondent.

ANIL KSHETARPAL, J(Oral)

An innocuous observation made by the First Appellate Court in para 14 of the impugned order dated 06.09.2021 has prompted the petitioners to file the present revision petition. The observations are as under:-

“At the same time, it is hereby directed to the executing court that in the event of such an application being moved before it, it should firstly ascertain whether there is any stay against the execution of the judgment and decree, during the pendency of the RSA. If there is no stay, the executing court is advised to proceed with the execution petition according to law.”

It is evident from the reading of the observations that the First Appellate Court has directed the Executing Court to proceed with the execution petition if there is no injunction in the pending Regular Second Appeal. Such observations are only to ensure that the Executing Court proceeds in accordance with law.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

September 30, 2022

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(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No