

ITEM NO.3

COURT NO.9

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 31109/2018

(Arising out of impugned final judgment and order dated 31-08-2018 in CR No. 4740/2018 passed by the High Court Of Punjab & Haryana At Chandigarh)

BALJEET @ GOLI & ANR.

Petitioner(s)

VERSUS

HARI CHAND & ANR.

Respondent(s)

IA No. 169491/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Diary No(s). 43360/2018 (IV-B)

IA No. 173079/2018 - CONDONATION OF DELAY IN FILING

IA No. 173080/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 23-08-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Mr. Aftab Ali Khan, AOR
Mr. M.Z. Chaudhary, Adv.
Mr. Syed Imtiyaz Ali, Adv.
Mr. Arvind Kumar Kanva, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Special Leave Petition (C) No.31109 of 2018
is dismissed as no fault can be found with the
Executing Court, which was obliged to proceed with
the execution in terms of the order passed by the
High Court dated 09.02.2016.

The petitioners, however, are challenging the decision of the High Court dated 09.02.2016 by way of a separate special leave petition being SLP(C) D.No.43360/2018 filed after the delay of 924 days.

According to the petitioners, the impugned order dated 09.02.2016 has been passed by the High Court behind their back without notice to them.

It will be open to the petitioners to move the High Court for recall of the impugned order dated 09.02.2016 within two weeks from today, if so advised, failing which the Executing Court may proceed in the matter in accordance with law.

The High Court may pass appropriate orders including interim protection to the petitioners as permissible in law, if it deems fit.

The special leave petition and pending applications are disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER