

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). 3869-3872/2017
(Arising out of impugned final judgment and order dated 24/10/2016
in WP No. 631/2016 24/10/2016 in WP No. 633/2016 24/10/2016 in WP
No. 634/2016 24/10/2016 in WP No.635/2016 passed by the High Court
of Chhatisgarh at Bilaspur)

MOTILAL AND ANR.

Petitioner(s)

VERSUS

AMRIKA BAI AND ETC. ETC.

Respondent(s)

(with appln. (s) for exemption from filing O.T. and interim relief)

Date : 10/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. B.S. Banthia, Adv.
Mr. Sachin Daga, Adv.

For Respondent(s)

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

Heard Mr. B.S. Banthia, learned counsel for the petitioner.

Having heard learned counsel for the petitioner, we are not inclined to interfere with the impugned order by which the High Court has declined to interfere with the restoration of the execution proceedings. It is submitted by Mr. Banthia that the property owned by the judgment debtor could not have been attached in view of Section 165(7) of the Chhattisgarh Land Revenue Code, 1959. Needless to say it will be open to the judgment debtor to raise such objection before the executing court which shall deal with the same in accordance with the law.

The special leave petitions are accordingly disposed of.

(Ashok Raj Singh)
Court Master(H.S. Parasher)
Court Master