



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-6658-2025

Date of decision: 19.09.2025

Kailash Wati Mehra @ Asha Mehra

...Petitioner

Versus

M/s Shahzada Nand & Sons Financiers and Chit Fund Pvt. Ltd. through its Partner and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Prateek Sodhi, Advocate for the petitioner.

DEEPAK GUPTA, J. (ORAL)

1. Petitioner herein is the decree holder in the execution titled Kailash Wati Mehra Vs. M/s Shahzada Nand and sons.
2. By way of this petition, he seeks direction to direct the concerned Executing Court to decide CM-741-2022 filed for the revival of the said execution, which was adjourned sine die vide order dated 03.05.2018.
3. Learned counsel contends that the respondent was a tenant under the petitioner. In ejectment petition filed by the petitioner, eviction orders were passed way back in 2007, which were upheld up to this Court in July 2015. Respondent was held liable to pay mesne profits at the rate of ₹1,00,000/- per month which were never paid, though the petitioner got the possession on 07.01.2016. Civil suit for recovery of mesne profits to the tune of ₹36,00,000/- filed by the plaintiff was decreed on 07.12.2017 along with interest. Appeal of the respondent was dismissed on 14.11.2022. Petitioner had filed execution petition No.46 of 2018 which was adjourned



sine die on 03.05.2018 due to stay by the First Appellate Court and therefore, after dismissal of the appeal by the First Appellate Court, petitioner moved the aforesaid CM-741-2022, seeking the revival of the execution. However, the said application has not been decided till date. Learned counsel further submits that petitioner is a senior citizen of 86 years of age and is being deprived of the fruits of the money decree of Rs.36,00,000/- passed in her favour.

4. Learned counsel is also candid enough to inform that against the Appellate Court decree dated 14.11.2022 an appeal was filed by the respondent which is pending before this Court, but submits that no notice of motion has been issued nor any stay has been granted till date.

5. Having noticed all the aforesaid circumstances, the present petition is hereby disposed of by directing the concerned Executing Court to decide the application for revival of the execution within a period of one month positively from today, in accordance with law.

19.09.2025

Yogesh

**(DEEPAK GUPTA)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**