



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

(114)

CR-6140-2025Date of Decision: -**05.09.2025**

M/S DAUS PACKAGING INDIA PVT LTD

... Appellant

Versus

AMIT SHARMA

... Respondent

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Sandeep Sharma, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The petitioner has invoked the supervisory jurisdiction of this Court under Article 227 of the Constitution of India, against impugned order dated 23.07.2025 (Annexure P-3) passed by the learned Civil Judge (Junior Division), Gurugram, whereby coercive process in the form of warrants of attachment against the petitioner's property has been directed to be issued.
2. The petitioner submits that a Regular Second Appeal ('RSA' for short) has been filed before the Hon'ble Delhi High Court, which is presently pending consideration, albeit with certain office objections. Owing to the pendency of these procedural objections, the petitioner was unable to effectively press the accompanying application seeking stay of the execution proceedings. It is further alleged that, notwithstanding the pendency of the said appeal, the Executing Court is proceeding with undue haste in effectuating the execution of the decree. A perusal of the impugned order reveals no manifest irregularity and error in the exercise of jurisdiction by the



Executing Court, warranting interference by this Court in the exercise of its supervisory jurisdiction.

3. At this stage, learned counsel for the petitioner undertakes that execution of the decree be stayed subject to his depositing the entire decretal amount in the Court.

4. Execution of the decree, including the operation of the warrants of attachment, shall remain stayed, subject to the petitioner depositing the entire decretal amount along with applicable interest before the Executing Court within a period of 15 days from today. Upon such deposit, the Executing Court shall release 50% of the amount to the decree-holder, subject to the furnishing of adequate security and an undertaking to refund the said amount in the event the appeal filed by the petitioner is allowed. The remaining 50% of the amount shall be invested in a Fixed Deposit Receipt (for short 'FDR') with a Nationalized Bank, yielding the maximum available rate of interest.

5. However, observations made herein above may not to be construed as opinion on the merits of the case. Same are purely confined to the present controversy and deliberations.

05.09.2025
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No