



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

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**CR No. 7299 of 2025 (O&M)
DATE OF DECISION :- 15.10.2025**

Rakesh**...Petitioner**

Versus

Satish Kumar and others**...Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL****Present:-** Mr. V.P. Sangwan, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. This Revision Petition has been filed assailing the order dated 30.09.2025 passed by learned Additional Civil Judge (Sr. Div.), Tosham acting as Executing Court whereby the decree holder has been directed to prepare FD of the amount released in favour of petitioner and to deposit the same before the Court before 04.10.2025.
2. The background leading to the order is that vide order dated 08.08.2025 the learned Executing Court attached the FD No. 38920464057 of the JD and simultaneously the warrant of auction of the property of the JD was issued without specifying as to which property is to be sold and for how much amount is to be realized by sale of that property and that order was assailed by the JD before this Court and this Court in Civil Revision No. 6800 of 2025 vide order dated 24.09.2025 has set aside the order with the direction to the Executing Court to reconsider and decide the matter afresh in



accordance with law, ensuring strict compliance with the statutory provisions and principles of natural justice. In the intervening period the amount of FDR was released to the decree holder by the Executing Court and after receipt of the order of this Court Executing Court directed the decree holder to prepare an FDR of the amount and to deposit the same in the Court.

3. Mr. Ravi Kumar Girdhwal, Advocate has put in appearance for respondent No. 1 by filing memo of appearance.

4. Learned counsel for respondent No. 1 submitted that it is not clear as to how much amount is due from the respondent JD. He has no objection in case the order passed by the Executing Court is modified and the directions are withdrawn subject to the condition that the decree holder be directed to submit a statement of account showing as to how much amount is due to be recovered on the basis of decree under execution and in case the amount already realized by the decree holder is more than the amount due then the remaining amount be returned to the JD. He further submitted that he would also be filing a statement showing as to how much amount is to be paid by him under the decree under execution.

5. This revision petition is disposed of and the impugned order is modified. The decree holder would submit a statement of the amount to be realized on the basis of decree under execution and in case the amount already realized is more than the amount due then he would refund the remaining amount to the JD within a period of one month



and both the parties would be submitting their statements before the Executing Court and Executing Court would adjudicate the amount actually to be recovered on the basis of decree under execution.

**(VIRINDER AGGARWAL)
JUDGE**

15.10.2025

P.Singh

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No