



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

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I.

CR-2138-2025

Rakesh Bhan Dass

.....Petitioner

Vs.

Avtar Singh and Others

.....Respondents

II.

CR-2135-2025 (O&M)

Rakesh Bhan Dass

.....Petitioner

Vs.

Avtar Singh and Others

.....Respondents

Date of Decision.:07.05.2025

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. H.K. Aurora, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

Prayer made in both these petitions is to issue direction to the Executing Court to dispose of Execution Petition No.1 dated 05.02.2010 (EXE/1431/2013) titled as "Rakesh Bhan Dass v. Municipal Committee and Others" expeditiously.

2. The execution was filed for compliance of the judgment and decree passed by this Court in RSA No.222 of 1980 decided on 16.05.2007, copy of which is Annexure P-1.

3. It was contended by learned counsel that though the execution is pending for the last more than 15 years but the same is not being



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disposed of despite recent directions issued by Hon'ble Supreme Court to dispose of all the executions within six months.

4. Vide an order dated 05.04.2025, this Court had called the report from the concerned Executing Court to explain the steps taken so far in execution of the decree and as to the obstacles, due to which the execution has not been disposed of.

5. Report has been received from the Executing Court concerned vide a letter dated 25.04.2025 indicating that as and when any order is passed, revision is filed against the same by one or the other party. It is also disclosed in the report that on various dates the original execution file was summoned by the appellate Court. There is also reference of adjournments being asked for by counsel for one or the other party. In the end, the Executing Court has sought a time of six months so as to dispose of the execution.

6. Considering the fact that execution is already pending for the last more than 15 years, the present revision petitions are hereby disposed of with the direction to the concerned Executing Court to take effective steps, by giving short adjournments to dispose of the execution on or before 31.08.2025 positively.

7. It is further made clear that in case, the original execution file is required by the Appellate Court at any stage, the same shall be called only on the date of arguments or at the most one day prior thereto. In no eventuality, the Appellate Court will keep the file with it. Said direction be conveyed to the concerned District and Sessions Judge for necessary compliance.

8. It is further directed that in case the Executing Court is unable



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to dispose of the execution in question up to 31.08.2025 positively, it shall send its report along with necessary explanation.

Disposed of.

All the miscellaneous application(s), if any, stand disposed of.

A photocopy of this order be placed on the connected case file.

(DEEPAK GUPTA)
JUDGE

May 07, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No