

PARVESH CHANDER SURI Vs MAMTA B JAIN

Present: Sh. Ashok Paul Jagga Advocate for DH.
None for JD No.1 and 2.

Objections on behalf of JD no.2 not filed despite giving more than three opportunities. This is an execution application in respect of decree dated 27.03.2025 which is within two years and therefore as per order 21 Rule 22 notice is not required to be given to the JDs. Still the notice was given in this application and the JDs had appeared but today they did not come present. Now the question is whether this Court is supposed to adjourn the matter awaiting their appearance that would depend upon the arguable point if any found in the objections filed by the JDs.

The execution applications are to be decided within six months as directed by the Hon'ble Apex Court in the matter of **Periyammal Vs Rajmani 2025 Live Law cases (SC) 293**.

Moreover filing the objections to the execution application is not a statutory right. Taking up the objections filed by the JD no.1, it transpires that only material objection by the JD is that appeal is pending. It is settled law that mere pendency of the appeal is not sufficient for not proceeding with the execution proceedings.

This court has to proceed further. There is no arguable point in the objection filed by the JD no.1. Therefore, no prejudice shall be caused to the JDs if the objections are decided today itself. Accordingly, finding no merits in the objections the same stands **rejected**.

Fresh report of Ahlmad reveals that there is no stay order received. Accordingly, let warrants of attachment be issued for **30.01.2026** for filing list of properties.

Date of Order: 15.01.2026
Nidhi, stenographer Gr.III
Dictated and typed

(Kuldeep Singh
Civil Judge Jr. Div.,
Chandigarh
UID No . PB00683