

CRN No.:HRPK-01-003539-2015

Case No.:EXE/630/2015

Present: L&T Finance Limited Versus Shiv Kumar & Anr.
Shri Ranjan Arora, Advocate for decree-holder.
Judgment-debtors already exparte vide order dated
18.01.2016.

This is an execution petition against the arbitration award. Judgment-debtors are already exparte in the present case. Several efforts to procure their presence did not bear any result. Eventually, learned counsel for decree-holder moved an application under Order 21, Rule 37 CPC alleging therein that the judgment-debtors are not co-operating in making the payment and they have apprehension that judgment-debtors are trying to dispose of their properties and planning to flee from the territorial jurisdiction of this Hon'ble Court; further stated that even the conditional warrant of arrest issued against judgment-debtors received back unexecuted and as per report of baliff, police help is required.

On the other hand, learned counsel for decree-holder was also directed to provide the registration number of scooter of judgment-debtor so that the same can be attached by giving necessary intimation to Registration Authority to attach the same.

Learned counsel for decree-holder seeks adjournment for providing registration number of vehicle in question. Keeping in view the above said facts & circumstances, it is desirable that let conditional bailable warrant of judgment-debtors to recover the outstanding due to the tune of ₹ 2,55,852/- be issued, returnable for **21.07.2017**, on depositing of requisite expenses within a week. It is made clear that conditional warrant would be issued only upon deposing of requisite

expenses by the decree-holder. A red-ink note be given on the warrant that in case, judgment-debtors pay the decretal amount or shows any stay order of any higher Court at the time of execution of warrant, then, the warrant need not be executed. Meanwhile, learned counsel for decree-holder is also directed to provide the registration number of the vehicle in question for the purpose of its attachment. He is also directed to apprise the value of properties mentioned at Serial No.1, 2, 5, 8, 11 and 13 in the list of properties filed by him. Accordingly, the order dated 24.04.2017 is hereby modified.

May 10, 2017.
Arvind

(Ritu Tagore),
District Judge, Panchkula.
UID Number: HR-0029

Next Date: 21.07.2017

Purpose: _____