

EXE-506-2017 The Rajpura Janta Vs. Paramjit Singh

CNR No. PPTA0-000502-2017

Present : Sh. S.S.Sidhu Advocate, counsel for DH.
 Sh.Anil Pathak Advocate, counsel for JD

1. This order of mine shall dispose of objections moved by the Judgment debtor on 06.09.2019.

2. It is submitted by the JD that the alleged award dated 5.11.1997 is not executable as same is barred by Limitation Act 1963. The decree holder is not entitled to recover sum of Rs. 2,12,806/- alongwith interest as alleged. Decree/award as alleged by the decree holder in the execution petition is barred by limitation. The decree holder is not entitled to the alleged expenses of present execution petition and prayed for dismissal of the execution.

3. Per contra, the plaintiff filed reply to the application and denied the contents of the application and prayed for dismissal of the objections.

4. I have considered the submissions advanced by learned counsel for the parties. Both learned counsel for the parties advanced arguments on the lines of their pleadings as mentioned in the application as well as reply to the application.

5. Perusal of the file reveals that the present execution has been filed on 20.4.2017 for claiming the award money which has been passed

vide order dated 5.11.1997. This fact is admitted by both the parties and even evident from the perusal of the file and award itself. So as rightly argued by the learned counsel for the JD that the same is time barred as provisions of Limitation Act. Accordingly, the objection petition filed by the objector(JD) is allowed and the present execution is held time barred as per the provisions of Limitation Act and is hereby dismissed. File be consigned to the record-room.

Announced
17.09.2019
Swaranjit Singh
Stenographer-II

(Suman Pathak)
Addl.Civil Judge
(Senior Division)
Rajpura(PB0316)