

Binny Aggarwal VS MS Ganesh Rice EXE-766-2013
CNR No.PBBR02-000722-2011

Present:- Sh. Amrinder Singh adv. Counsel for DH.
Sh. JN Sharma Adv. Counsel for JD.

Heard on application under order 21 Rule 37 CPC. Learned counsel for the DH argued that JD has directed to disclose his property but the DH disclose the property against which appllate court has granted stay. Therefore the DH again filed the present application which may kindly be allowed. Learned counsel for the JD argued JD has already been disclosed the property and application under 21 Rule 37 Cpc has already decided by this court and now second application on the same ground is not maintainable, moreover the JD is pouper having no source of income and requet to dismissed the application and DH be directed to recovered the amount from the attached property. After hearing and gone through file the JD has disclosed the property but the same has been subject to litigation . As per order dt. 21.01.2017 and the DH is directed to file New list of property but DH could not trace the property of JD the earlier application under order 21 Rule 37 is dis posed of in view of the property disclosed by the JD. Therefore the objection raised by JD is wihtout merit and same is hereby declined and conditional warrant of JD be issued for 17.08.2018.

(Jarnail Singh)
CJ(SD)/Barnala
UID PB0188

Date:21.07.2018

Harsharan Kaur(stenographer-III)

Next date :17.08.2018

Purpose:(