



Harminder Singh vs. Shiv Kumar

Execution Petition No. 30 of 2021

05.03.2022 Present: Mr. R.L. Sood, Senior Advocate with Mr. Arjun Lall, Advocate for the Decree Holders.

Mr. Neeraj Gupta, Senior Advocate with Mr. Ashok Kumar Tyagi, Advocate for the Judgment Debtor.

Mr. Karan Singh Kanwar, Advocate, is present in person.

The Court stands informed that the raw material extracted at the site by the judgment debtor stands sold and the sale proceeds stand deposited with this Registry. Amount of the sale proceed is stated to be Rs.2,00,000/- (Rs. Two Lac). The Court further stands informed that the sale of the raw material was conducted under the supervision of Shri Karan Singh Kanwar, Advocate, i.e. Court Commissioner. Sale proceedings took place in the presence of the parties, with their consent, and there is no dispute with regard to the amount which was fetched from the sale of said raw material as also the quantity thereof at the site.

In this view of the matter, this Court orders that at this stage, let parties pay ₹19,000/- each (total Rs.38,000/-) as fee to the Court Commissioner within a period of two weeks from today. Which party will be finally burdened with fee of the Commissioner shall be decided at the stage of final adjudication of the execution petition.

Mr. Neeraj Gupta, learned Senior Counsel appearing for the judgment debtor submits that two weeks time be granted to



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the judgment debtor to file objections to the execution petition. Learned Senior Counsel appearing for the decree holders strongly opposes said prayer by submitting that since the decree, execution of which is being sought, is a money decree, in law, the judgment debtor has no right to file objections to the same.

Be that as it may, let the objections be filed by the judgment debtor within a period of two weeks from today, subject to objection raised by the decree holder. List on 22.03.2022.

Copy of the report submitted by the Court Commissioner shall form part of the record. Copy thereof be supplied to each of the parties as per rules.

(Ajay Mohan Goel)
Judge

March 05, 2022
(narendar)