



2026:PHHC:086466

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CR-4769-2026

Date of decision : 02.06.2026

GURJEET SINGH

..... PETITIONER

VERSUS

B. SINGLA AUTO TYRES AND ANR

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Gurfateh Singh Khosa, Advocate
for the petitioner.

SURYA PARTAP SINGH. J.(Oral)

1. This revision petition has been filed by the petitioner/judgment debtor for stay of auction proceedings, which is scheduled to take place today itself.

2. The background of the case is that an ex-parte money decree has been passed against the petitioner/judgment debtor and in the execution proceedings with regard to above-mentioned ex-parte decree, the above-mentioned auction is taking place on the direction of executing Court.

3. Heard.

4. It has been contended by learned counsel for the petitioner that for the setting aside of ex-parte decree an application under Order 9 Rule 13 CPC was filed by the petitioner/judgment debtor, but the above-mentioned application has been dismissed by the learned Civil Judge (Sr. Divn.) Moga. As per learned counsel for the petitioner, against the above-



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mentioned verdict, appeal has been filed in the Court of learned District Judge, Moga, which is still pending.

5. It has been contended by learned counsel for the petitioner that if the auction proceedings is allowed to continue it will cause irreparable loss and injury to the rights of the petitioner. Hence, the request for stay of auction proceedings.

6. The record has been perused carefully.

7. A perusal of record shows that the petitioner has already filed appeal against the order, whereby his application under Order 9 Rule 13 CPC was dismissed by the learned Civil Judge (Sr. Divn.) Moga. Since the operation of decree can be stayed by the Court, dealing with appeal only, in my opinion no ground for stay of auction, in the present petition is made out.

8. At this stage, the learned counsel for the petitioner wants to withdraw this petition.

9. Dismissed as withdrawn.

(SURYA PARTAP SINGH)
JUDGE

02.06.2026*vipin*

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No