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

CM-6181-CII-2026 IN/& CR-4701-2023
Date of decision : 16.04.2026

Vijay Kumar ... Petitioner

Versus

Lal Chand Gupta ... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Krishan Singh, Advocate
for the applicant-petitioner.

Mr.Yogesh Saini, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

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1. This is an application under Section 151 CPC for revival of the civil revision petition.
2. On 30.03.2026, this Court was pleased to pass the following order:-

*“Present: Mr. Krishan Singh, Advocate
for the applicant-petitioner.*

Learned counsel for the applicant has submitted that after the passing of the order dated 08.12.2025, another execution application has been filed and the copy of the summons has been annexed as Annexure A-4. It is further submitted that the petitioner is ready to pay the amount of ₹10,000/- per month which he had earlier undertaken to pay.

Notice of the application to the respondent for 16.04.2026.

Liberty is granted to the applicant to serve the respondent



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through counsel before the Executing Court.

Notice regarding stay as well.

To be taken up immediately after the urgent list.

March 30th, 2026”

3. Learned counsel for the respondent has submitted that the total amount due on account of mesne profit is Rs.2,60,000/- and in case the petitioner is ready to pay the amount, the present revision be restored to its original number.

4. Learned counsel for the petitioner has submitted that he is ready to pay the said amount.

5. Keeping in view the above said facts and circumstances, the application is allowed and the order dated 08.12.2025 is recalled and the revision petition is ordered to be restored to its original number.

Main case

1. This is a Civil Revision Petition filed under Article 226 of the Constitution of India for quashing the impugned order dated 21.07.2023 (Annexure P-1) passed by the Additional Civil Judge (Sr.Div.), Ambala, vide which the application moved by the petitioner seeking permission to deposit the decretal amount in monthly installments has been dismissed.

2. Learned counsel for the respondent-landlord has submitted that the possession of the premises has been handed over to the respondent but total amount of Rs.2,60,000/- on account of mesne profit is due to the petitioner and in the execution proceedings, even warrants of attachment had been issued against the property of the petitioner.



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3. Learned counsel for the petitioner has submitted that the petitioner is 63 years old and has submitted that he undertakes to pay an amount of Rs.10,000/- every month till the time the entire amount of Rs.2,60,000/-, which is due against him, is paid. It is submitted that in case the petitioner defaults in making any payment, he would pay an amount of Rs.50,000/- over and above the amount of Rs.2,60,000/- which is due to the respondent. It is submitted that in the said circumstances, the execution petition be disposed of.

4. Learned counsel for the respondent has submitted that in case of default of payment, the respondent be granted liberty to revive the execution application.

5. During the course of arguments, a very fair stand has been taken by the learned counsel for the petitioner as well as the learned counsel for the respondent and on the basis of consensus, the present revision petition is disposed of with the following observations / directions :-

i) It has been settled between the parties that total amount due as on today to the respondent by the petitioner is Rs.2,60,000/- on account of mesne profit.

ii) The petitioner would pay an amount of Rs.10,000/- per month on or before 12th of every month in the account of the respondent. The account details of the respondent would be supplied by the learned counsel for the respondent to the



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counsel for the petitioner within a period of two weeks from today.

iii) The execution proceedings would be disposed of in view of the abovesaid understanding between the parties and the joint statement to the said effect would be made before the Executing Court.

iv) In case the petitioner defaults in the payment of the monthly installment even for one month, then, it would be open to the respondent to revive the execution application or to file a fresh execution application. The petitioner as undertaken before this Court would be then liable to pay an amount of Rs.50,000/- over and above the amount which is finally due from him i.e. Rs.2,60,000/-. The respondent would also be entitled to recover the said additional amount of Rs.50,000/- in the execution proceedings. Both the parties would submit an affidavit with respect to being bound by the abovesaid directions, before the Executing Court on the next date of hearing.

(VIKAS BAHL)
JUDGE

April 16, 2026.
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No