

Vijay Kumar Gupta V/s M/s. Bajwa Developers Ltd.

Execution /AO/46/2021 in
Complaint No. AdC No. 1685/2020

Present Ms. Rupinder Kaur Advocate proxy of Ms. Manju Goyal Advocate
representative for the complainant/DH
None for the respondent/JD

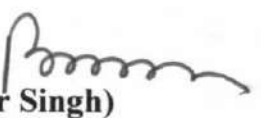
This execution could not be decided within sixty days as per the guidelines of the Hon'ble Supreme Court primarily because the recovery warrant was issued on dt. 05.08.2022 and transmitted for execution to the District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) and despite issuance the reminder but, the said authority failed to make the compliance.

Show cause notice was issued to the respondent/JD, Jarnail Singh Bajwa Managing Director of respondent/JD concern as to why he be not arrested for calling upto him to explain as to why he should not be sent to Civil Imprisonment for having failed to make the due payment, was duly served; however, he failed to turn up today without any notice.

It is to be noticed that despite taking all possible methods to get the amount realised, amount could not be recovered and also despite writing reminders to the District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) and it therefore, is apparent that respondent/JD, M/s. Bajwa Developers Ltd. through Jarnail Singh Bajwa, Managing Director is intentionally delaying the recovery of the due amount as per the final order passed in the main complaint for realisation of which the present execution application has been filed.

In this view of the matter, Arrest Warrant is required to be issued against Jarnail Singh Bajwa, Managing Director, M/s. Bajwa Developers Ltd., SCO No. 17-18, Sunny Enclave, Desumajra, SAS Nagar, (Mohali) for ensuring the realisation of the due amount to the complainant/DH as per the Final Order dt. 27.04.2021 passed in the main complaint. Let, Warrant of Arrest be issued for arresting Jarnail Singh Bajwa, Managing Director, M/s. Bajwa Developers Ltd., SCO No. 17-18, Sunny Enclave, Desumajra, SAS Nagar, (Mohali) if he fails to tender the due amount the spot and producing him before this Bench on or before 03.08.2023 in compliance to the provision of Order 21, Rule 39(1) CPC. The complainant/DH is directed to deposit the amount of Rs.1000/- in the shape of Postal Order payable to SSP, SAS Nagar (Mohali). Arrest Warrant be forwarded to SSP, Mohali with the forwarding Letter and the Postal Order. Process be also sent through email.

28.06.2023


(Balbir Singh)
Adjudicating Officer
RERA