IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No. 649 of 2026
Date of Decision: 04.11.2026

Vaneet Kumar and Anr.

.....Petitioners

Versus

Mahindra & Mahindra Financial Services Ltd and Anr.

.....Respondents

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Paras Sharma, Advocate.

For the Respondent: Mr. Rajan Kahol, Additional Advocate General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondent No.2.

Sandeep Sharma, J. *(Oral)*

Being aggrieved and dissatisfied with order dated 02.12.2025 passed by learned Senior Civil Judge, Kangra, District Kangra in Execution Petition No. 48 of 2018 titled as Mahindra & Mahindra Financial Services Limited versus Arun Kumar and others, whereby warrant of arrest for civil imprisonment came to be issued against judgment debtors No. 2 and 3 i.e. petitioners herein, petitioners have approached this Court in the instant proceedings praying therein to set aside aforesaid order on the ground that notices in execution proceedings were never served upon them.

High Court of H.P.

::: Downloaded on - 06/11/2026 09:17:56 :::CIS

2. Though having taken note of inordinate delay in filing the petition at hand, this Court is not inclined to entertain the same, but having taken note of submission made on behalf of the petitioners that they will cause their presence before the executing Court on the date to be fixed by this Court, this Court without going into the merits of the case deems it fit to dispose of the same with a direction to the petitioners/ judgment debtors to remain present before executing Court on **23.11.2026**, on which date, otherwise execution petition is stated to be listed. Ordered accordingly.

3. Till posting of the matter before the Court below on 23.11.2026, no coercive action shall be taken pursuant to impugned order dated 02.12.2025, but in case the petitioners / judgment debtors fail to come present before the Court below on aforesaid date, police would be at liberty to execute the warrant of arrest issued in terms of order dated 02.12.2025. Needless to say, appropriate order in accordance with law shall be passed by competent Court of law pursuant to the application, if any, made by the petitioners / judgment debtors for recalling / modification of order made challenge in the instant proceedings, but interim protection granted by this Court shall remain in force till

High Court of H.P.

::: Downloaded on - 06/11/2026 09:17:56 :::CIS

23.11.2026, whereafter appropriate order in accordance with law shall be passed by competent Court of law.

November 04, 2026 **(Sandeep Sharma),**
(manjit) **Judge**

High Court of H.P.

::: Downloaded on - 06/11/2026 09:17:56 :::CIS