

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 6725 of 2023

Petitioner :- Suresh Chandra Jain (Deceased) And 9 Others

Respondent :- Ravi Shankar Saxena

Counsel for Petitioner :- Shashi Prakash Giri

Hon'ble Prakash Padia,J.

1. It is argued by counsel for the petitioners that though a decree has been passed in favour of the petitioners by the Judge, Small Cause Court, Aligarh on 04.04.2019 but till date the decree has not been executed hence a prayer has been made to direct the defendant-respondent to handover the physical possession of the property in dispute to the plaintiff-petitioners in whose favour the aforesaid decree has been passed.
2. Heard learned counsel for the parties.
3. From perusal of the record it transpires that the prayer made in the present petition is totally misconceived since complete procedure has been prescribed in the CPC to execute the decree.
4. In view of the same, no relief could be granted to the petitioners.
5. The petition is dismissed.

Order Date :- 30.11.2023

Pramod Tripathi