

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

Civil Revision No.1013 of 2015

Date of Decision: 13.02.2015

Sunil Kumar

..... Petitioner

Vs.

Sanjay Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.S.Bajaj, Advocate for the petitioner.

JASWANT SINGH, J. (ORAL)

The objector-Sunil Kumar is the son of the principal borrowers/judgment debtors No.1 and 2 of a decree dated 20.10.2011 (**P-1**), passed by learned Civil Judge (Jr. Divn.), Jalandhar for recovery of a sum of ₹ 1,03,500/- along with interests. The said decree has become final, however, still remains to be executed. The properties of the principal borrowers/judgment debtors have been attached, the objector son filed an objection that one of the properties is owned by him on the basis of a Sale Deed dated 08.06.2011. The reply has been filed by the decree holder with the averments that the judgment debtor No.1 had retired on 30.04.2011 from the service of Northern Railways and having received several lacs of rupees towards retiral benefits utilized a portion of the same by buying property in the name of his son.

The learned Executing Court had, vide impugned order dated 27.05.2014 (**P-4**), dismissed the objection of the present petitioner.

Having heard learned Counsel for the petitioner, this Court finds no grounds to interfere with the impugned order dated 27.05.2014 (**P-4**).

The said order was passed wayback on 27.05.2014 and the present revision has been filed after a delay of almost nine months without any proper explanation. Even a revision under Section 115 CPC has to be filed within stipulated 90 days, therefore, this Court is not inclined to interfere at this belated stage. Even otherwise, this Court is in agreement with the learned trial Court in its observation that the sole object is to delay and frustrate the execution of a money decree passed in the year 2011.

In view of the above, the present petition stands dismissed.

February 13, 2015

Gagan

(JASWANT SINGH)

JUDGE