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

CR No.1351 of 2015 (O&M)

Date of decision: March 31, 2015

Surji Devi

.....Petitioner

Versus

Basti Ram

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sajiv Gupta, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 05.01.2015 (Annexure P-9).

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

Petitioner had filed suit for specific performance of agreement to sell dated 07.08.2006. Suit filed by the petitioner was decreed. In execution proceedings, vide impugned order, petitioner was held entitled to get symbolic possession of the property in question, as partition suit was pending between the parties. Vide agreement to sell in question, respondent had sold his share to the petitioner out of the suit property. Since partition suit was pending with regard to the property in question, learned executing Court rightly held that at this stage, petitioner was only entitled to get symbolic possession of the property in question.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

March 31, 2015

m.singh