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

CR No.2362 of 2015

Date of decision: April 06, 2015

Sunita Rani

.....Petitioner

Versus

Dalbir Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 12.03.2015, whereby objections filed by the petitioner, were dismissed.

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

Respondent No.1 had filed suit for specific performance of agreement to sell dated 01.07.2005 against Tilak Singh. The said suit was decreed in *ex parte* vide judgment/decreed dated 25.10.2007. Respondent Nos. 2 and 3 are the legal heirs of deceased Tilak Singh. Respondent No.1 filed execution petition in February, 2008 seeking execution of the decree. During the pendency of the execution petition, respondent Nos. 2 and 3 sold the property in question to the petitioner. The plea of the petitioner that she was a bonafide purchaser and was not aware of the decree dated 25.10.2007, is liable to be rejected as principle of *lis pendens* will apply. The objections filed by the petitioner were liable to be dismissed as she had purchased the suit property during the pendency of the execution petition. So far as the decree

dated 25.10.2007 is concerned, the same has become final as it had not been challenged by the judgment-debtor or his legal representatives by filing an appeal.

In these circumstances, no ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

April 06, 2015

m.singh