

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

**Civil Revision No.2891 of 2006 (O&M)
Date of Decision: August 20, 2015**

Pritam Singh (now deceased) through LR Petitioner

vs.

Manjit Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Mohd. Salim, Advocate for the petitioner.

Mr. Malkeeet Singh and Ranjit Singh Ghuman, Advocates
for respondent Nos.1 to 5.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 16.04.2005 (Annexure P-7) passed by learned Addl. Civil Judge (Sr. Divn.), Nawanshahr, vide which the objections filed by one Dilawar Singh (son of Pritam Singh), Objector in the execution proceedings, were dismissed. Also impugned is the order dated 08.04.2006 (Annexure P-8) passed by learned Addl. Civil Judge (Sr. Divn.), Nawanshahr, vide which the warrant of possession was issued.

I have heard learned counsel for the parties and have also carefully gone through the case file.

The objections were taken by the present petitioner-objector before the lower court that the decree is in-executable as the execution has not been filed within the period of limitation and that the judgment and decree dated 22.08.1984 passed against Pritam Singh, who happened to be father of the objector, is nullity. He is bonafide purchaser for valuable consideration without notice of any alleged defect in the title of Lachhman Singh on the basis of registered sale deed 29.07.1974. The executing Court had observed that Pritam Singh was alive at the time of passing of the judgment and decree. Therefore, the judgment and decree is binding upon his LRs also. The execution was filed within limitation. It was further observed that the objector has not filed the death certificate of Pritam Singh.

I am of the view that the objections have been filed for the sake of objection to delay the execution of decree passed against JDs.

Moreover, the opposite counsel has informed this Court that the decree has been executed and possession has been delivered to him vide rapat roznamcha dated 18.05.2006.

Consequently, the impugned order dismissing the objection and the second impugned order issuing warrant of possession do not call for any interference by this Court.

The present revision petition is dismissed accordingly.

(KULDIP SINGH)
JUDGE

August 20, 2015
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