

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.3360 of 2015 (O&M)

Date of Decision.07.08.2015

Pala Ram

.....Petitioner

Versus

Amar Singh (since deceased) through LR's and othersRespondents

Present: Mr. V.K. Jindal, Senior Advocate with
Mr. Amardeep Sheoran, Advocate
for the petitioner.

Mr. Pritam Singh Saini, Advocate
for the respondents.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. The revision petition is at the instance of the objector who was a purchaser of two marlas of land pending suit from the judgment debtor. The petition was declined to be entertained and he is a revision petitioner before this Court. I had originally passed an order of suspension of the Court's order and a prayer is made for vacating the order of stay granted by this Court. With the consent of both parties, I have proceeded to dispose of the civil revision itself.

2. As far as the petitioner is concerned, he is a purchaser of only two marlas of land and he cannot have any objection to the decree holder executing the decree for injunction in the manner it is appropriate. The counsel appearing on behalf of the respondent-decree holder states that the petitioner cannot cause any obstruction or cannot

have any objection with reference to execution of the decree for anything more than the property which is claimed to have been purchased by him. The counsel for the petitioner states that it is only a suit for injunction and if his claim is that he is already in possession of the property, there is no question of executing it. The decree for injunction in whatever manner that could be put in execution will be carried out to its logical end and if the objection must be heard, it should be heard for the benefit of the petitioner only to the extent of the property which he has claimed. He has no cause for an obstruction or to take pleas on behalf of the other persons who are not before this Court. The order already passed by the Court below stands modified and the decree holder will be entitled to execute the decree for all the extent of property other than two marlas of land claimed by the petitioner.

3. With these observations, the civil revision is disposed of. The Court will consider the objections regarding two marlas of land in accordance with law and in respect of the remaining extent of 8 marlas of land, it will be put through to execution in the manner that is possible.

(K. KANNAN)
JUDGE

August 07, 2015
Pankaj*