

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 3110 of 2014 (O&M)

DATE OF DECISION : December 15, 2015

Samjesh

..... PETITIONER(S)

VERSUS

State Bank of India & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

**Present: Mr. V.S. Bhardwaj, Advocate, for the petitioner.
Mr. D.K. Singal, Advocate, for respondent No.1.**

...

1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO

2. To be referred to the Reporter or not? YES/NO

3. Whether the judgment should be reported in the digest? YES/NO

...

ARUN PALLI, J. (Oral)

Vide order being assailed, dated 24.03.2014, rendered by the Executing Court, the decree holder had since been granted an opportunity to deposit 5% of the auction price, in terms of Order 21 Rule 89 of the Code of Civil Procedure, as he had already deposited the decretal amount.

Concededly, the petitioner is the auction purchaser.

But the judgment debtor sought recalling of the order dated 29.09.2012, vide which his property was put to auction, for he had already deposited the entire decretal amount. As a result, he was granted 15 days time to deposit 5% of the auction price, in terms of the provisions of Order 21 Rule 89 of the Code of Civil Procedure.

Learned counsel for the petitioner could not point out as to how the conclusion arrived at by the Executing Court was either contrary to the position on record or suffered from any material illegality.

That being so, no interference is warranted in exercise of revisional jurisdiction under Article 227 of the Constitution of India. Petition being devoid of merit is, accordingly, dismissed.

DECEMBER 15, 2015
Kang

(ARUN PALLI)
JUDGE