

In the High Court of Punjab and Haryana at Chandigarh

Civil Revision No. 3292 of 2013 (O&M)
Date of Decision: 04.8.2015.

Raj Kaur and another

.....Petitioners

Versus

Punjab and Sind Bank and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. J.S.Cooner, Advocate
for the petitioners.

Mr. B.P.S.Dhaliwal, Advocate
for respondent No. 1.

Mr. Virender Kumar, Advocate
for respondents No. 2 to 6.

SABINA, J.

Petitioners have filed this petition under Article 227 of Constitution of India challenging the order dated 8.4.2013 (Annexure P-1) whereby objections filed by the petitioners, were dismissed.

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

Respondent No. 1 had filed suit for recovery and the said suit was decreed by the Trial Court. In execution proceedings, petitioners filed objections on the ground that they were also co-owners of the suit land to the extent of 2/8th share. The petitioners further pleaded that they had filed a civil suit against

their father and brothers for declaration that they were co-owners of the suit property to the extent of 2/8th share and in the said suit, parties had been directed to maintain status quo with regard to the suit property till the decision of the case.

In the present case, the loan had been taken by the father and brothers of the petitioners from the bank-respondent No. 1. However, they had failed to repay the loan and, consequently, respondent No. 1 had filed suit for recovery. The said suit was decreed by the Trial Court. It appears that now with a view to frustrate the decree, the petitioners have filed the suit claiming share in the property in question against their father and brothers by challenging the decree dated 3.10.1994 in the year 2011. In the facts and circumstances of the present case, the learned Executing Court had rightly dismissed the objections filed by the petitioners.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

August 04, 2015
Gurpreet