

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

CR No. 3513 of 2014 (O&M)
Date of decision: April 21, 2015

Charanjit Kaur

...Petitioner

Versus

Ajmer Singh and others

...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?**

Present: Mr. Jasdev Singh Thind, Advocate,
for the petitioner.

Mr. N.S. Sodhi, Advocate,
for respondent No.1.

K. KANNAN, J. (Oral)

1. The execution for recovery of money by a decree-holder in a suit for specific performance and in the alternative for return of the part of consideration paid was resisted by a third party, who claims herself to be a purchaser pending suit from the judgment-debtor. The objection was rejected by the court below and the revision petitioner is before this court.

2. There is no scope for causing an obstruction either by the judgment-debtor by a person claiming right under him and if such obstruction is made, he would also render himself liable for arrest under Order 21 Rule 98 of the CPC. Even a third party objection, if he happens to be a pendite lite purchaser is barred as per Order 21 Rule 102 CPC. In either event, the objections taken by the petitioner was not competent at all.

The order passed would required to be sustained and accordingly sustained.

The petitioner will have appropriate remedy against her own vendor for any defect in title and damages that resulted through independent proceedings.

3. The revision petition is dismissed.

April 21, 2015
prem

(K.KANNAN)
JUDGE