

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

**Civil Revision No.4776 of 2014
Date of Decision: September 01, 2015**

Nirmal Singh

.... Petitioner

vs.

**The Punjab State Civil Supplies
Corporation and others**

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Mohinder Singh Joshi, Advocate for the petitioner.

- 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 18.03.2014 passed by learned Addl. District Judge, Patiala, vide which under Order XXI, Rule 86 CPC, ₹5,00,000/- deposited by the applicant/auction purchaser Nirmal Singh at the time of auction, was forfeited on the ground that 25% of the sale amount was not deposited as required under Order XXI, Rules 84 and 85 CPC and further the balance amount was to be deposited within 15 days.

Brief facts of the case are that the present petitioner/auction purchaser participated in the auction conducted in compliance of the orders of the Court. He deposited ₹5,00,000/- at the time of auction. However, he was required to deposit 25% of the sale amount at the time of fall of hammer, which he did not do. He

was also required to pay the balance sale amount within 15 days, which was also not paid by him.

Now, the result is that the sale is null and void and fresh auction is to be conducted. Therefore, the lower court while passing the impugned order under Order XXI, Rule 86 CPC, forfeited the amount of ₹5,00,000/- deposited by the auction purchaser/present petitioner. Thus, there is no illegality or perversity in the impugned order.

Accordingly, the present revision petition stands dismissed.

September 01, 2015
sarita

(KULDIP SINGH)
JUDGE