

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5585 of 2015 (O/M)
Date of decision : 22.9.2015

Pawan Kumar and others

..... Revisionists

Versus

Smt. Kamla and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Harkesh Manuja, Advocate, for the revisionists.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

-. -

-. -

KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 13.7.2015 (Annexure-P-12), passed by the learned Civil Judge (Senior Division), Panipat, vide which the objections filed by the revisionists/judgment debtors No. 1 to 3, were dismissed.

Learned counsel for the revisionists/JDs contends that as per the decree passed by the lower Court, which was affirmed upto the Hon'ble Supreme Court, decree for possession of 10 kanals 2 marlas being 31/52 share was passed. Now, the trial Court has issued warrants of possession, which would mean that the actual

CR No. 5585 of 2015 (O/M)

possession is to be delivered and that the same is not in conformity of the decree. The learned counsel has also placed on file the copy of the warrants of possession (Annexure-P-9), which mentions that the decree-holder is to be put in possession of the property mentioned in the decree sheet. The learned counsel further contends that even police help has been sought, which is not necessary, if the possession of the share is only to be delivered.

It being so, the lower Court is directed to recall the said warrants of possession and draw the same in terms of the decree passed. Needless to say that the warrants in the present form will not be executable.

The present revision is accordingly disposed of.

(KULDIP SINGH)
JUDGE

22.9.2015
sjks