

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 5601 of 2013 (O&M)
Date of decision: 20.7.2015

Lakhmi Chand

.. Petitioner

v.

Gram Panchayat Pai and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Mohan Singh Rana, Advocate for
Mr. Vikas Lochab, Advocate for the petitioner.

...

Rajesh Bindal J.

Challenge in the present petition is to the order dated 25.8.2012, passed by the court below, whereby the application filed by the petitioner under Order 21 Rule 32 CPC, was dismissed.

The petition was filed in this court more than one year thereafter on 12.9.2013. Though the petition deserves to be dismissed on account of delay and laches only, still a perusal of the impugned order shows that the court below has considered the case on merits and dismissed the application filed by him, finding that non-compliance of the ex-parte decree was sought pertaining to possession. Part of the suit property is in the campus of a school constructed long back. The court below observed that ex-parte decree may have been obtained by suppressing material facts. The decree was found to be non-executable. The reasons assigned cannot be said to be erroneous. There is no merit in the present petition. The same is, accordingly, dismissed.

(Rajesh Bindal)
Judge

20.7.2015
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