

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5880 of 2015 (O/M)
Date of decision : 9.9.2015

Sunny Bansal

..... Revisionist

Versus

Punjab Wakf Board, Ambala Cantt.

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. H.S. Brar, Advocate, for the revisionist.

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 ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 1.9.2015 (Annexure-P-1), passed by the learned Additional District Judge, Sri Muktsar Sahib, vide which the objection petition filed by the present revisionist was dismissed.

Brief controversy involved in the present case is that the Punjab Wakf Board obtained a decree against Surinder Kumar for his ejectment from the disputed plot measuring 300 square yards, which is a part of mosque, situated at Railway Road, Sri Muktsar Sahib. A decree for recovery of the rent was also passed. The

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matter was contested upto the Apex Court and ultimately, vide judgment dated 2.1.2014 passed in SLP, the Apex Court affirmed the findings. The present revisionist, who happens to be the son of defendant/JD, has filed this objection petition, claiming that he should be heard in the matter. It is claimed that infact the objector is in possession of the property. The objection petition was summarily dismissed. The contention of the learned counsel for the revisionist is that the lower Court should have framed the issues and decided the matter on merits.

I am of the view that in this case, the matter has been finally decided by the Hon'ble Supreme Court of India. The present objector is none else, but the son of the defendant/JD. The object of the present objector is only to delay the matter. If he has got any independent right, it is always open for him to file independent suit and establish his claim. The lower Court was justified in dismissing the objection petition summarily and issuing the warrants of possession with the police help. It being so, the present revision is dismissed. It is expected that the warrants of possession shall be executed expeditiously.

(KULDIP SINGH)
JUDGE

9.9.2015
sjks