

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

C.R. No. 6671 of 2015 (O&M)

Date of decision:- 08.10.2015

Hans Raj

...Petitioner

Versus

Punna Singh deceased through his LRs

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Rajeev Sharma, Advocate for
Mr. K.D.S. Sodhi, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Petitioner has filed the instant revision petition under Article 227 of the Constitution of India assailing order dated 10.04.2015 (Annexure P-4) passed by learned Addl. Civil Judge (Sr. Divn.), Phillaur whereby the application of issuance of fresh warrant of possession regarding property of the petitioner in favour of the respondent, was allowed.

Learned counsel for the petitioner has referred to order dated 26.09.2014 whereby the execution application filed by the respondent was dismissed as withdrawn. Learned counsel submits that once the order was passed regarding satisfaction of the execution application then no fresh warrant of possession can be issued.

A perusal of order dated 26.09.2014 that the execution was not carried out as the property falls within the lal lakir and thus the application was ordered to be dismissed as withdrawn. Hence the present application for

issuance of fresh warrant of possession has been rightly allowed by the Court below by observing that the present application was fully maintainable and the objections filed by the petitioner was only to delay the proceedings.

In view of the above, the revision petition is dismissed being devoid of any merit.

October 08, 2015
G Arora

(**RITU BAHRI**)
JUDGE