

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.6947 of 2013 (O&M)

Date of decision: 31.08.2015

Neelam Rani

... Petitioner

versus

Faquir Chand and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Vandana Sharma, Advocate for the petitioner.

Mr. Rohit Mittal, Advocate for respondent No.1.

K.Kannan, J.

The revision is at the instance of the *pendente lite* purchaser who caused an obstruction at the stage of execution. The person claimed to be a purchaser pending suit bona fide and having obtained a loan from the Bank also constructed a house. The suit property is comprised of a house and the decree holder has put it in execution against the judgment debtor from whom the 3rd party objector claimed to have purchased on 13.06.2005. The objection could not have been even entertained by the Court having regard to the statutory interdict to lay any claim for a *pendente lite* transferee under Order 21 Rule 102 CPC.

There is no question of bona fides for a *pendente lite* purchaser and the remedy for the purchaser shall be only against the

vendor whose title was suspect and against whom the decree holder had already filed a suit and ultimately secured a decree as well. There is no merit in the civil revision for favour of consideration.

The civil revision petition is dismissed with above observations.

(K.KANNAN)
JUDGE

31.08.2015

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