

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

Civil Revision No.6758 of 2005 (O&M)
Date of decision:28.05.2015

Gangadhar and others

... Petitioners

versus

Raj Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sandeep Khunger, Advocate,
for the petitioners.

None for the respondent.

K.Kannan, J. (Oral)

1. A decree obtained for specific performance on 05.04.1990 was sought to be executed through execution application filed on 29.04.2005. There was no appeal or stay in any other higher forum that could have fettered the decree-holder's right to apply for execution within the time allotted in law. The decree-holder was pleading for some inconvenience and difficulty in approaching the court and the Executing Court purported to condone the delay in filing the execution petition.

2. The order is illegal and untenable. There is no scope for condonation in filing execution petition, for, Article 136 of Limitation Act admits of no exception that a decree for execution is

bound to be enforced within a period of 12 years. There is no room for condonation of any delay even if there are good grounds. The order impugned is set aside and the civil revision is allowed.

(K.KANNAN)
JUDGE

28.05.2015
sanjeev