

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

C.R. No. 8578 of 2015 (O&M)

Date of decision:- 18.12.2015

Balvir Singh and others

...Petitioners

Versus

Vijay Kumar

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. R.S. Ghuman, Advocate
for the petitioners.

RITU BAHRI J.

Challenge in this petition is to order dated 24.09.2015 passed by learned Addl. Civil Judge (Sr. Divn.) Balachaur, whereby the objections filed on behalf of the petitioners in execution application, has been rejected.

The respondent-decree holder filed execution petition on the basis of decree dated 31.03.2007 and subsequent judgment dated 27.08.2009 in which the petitioners-Judgment Debtor filed objection to the effect that the present decree was obtained by the respondents fraudulently in connivance with Satwant Singh retired patwari.

The learned Executing Court dismissed the objections of the petitioners on the ground that the suit of the decree holder was

decreed on 31.01.2007 and the plea of forgery of agreement to sell had already been decided in the judgment and decree, as the same was earlier agitated by the Jds/defendants in the main suit. The appeal has also been dismissed, vide order dated 27.08.2009 and thus the impugned decree has attained finality.

After going through the order dated 24.09.2015 passed by learned Addl. Civil Judge (Sr. Divn.) Balachaur, it does not suffer from any misreading of facts.

The petition stands dismissed.

December 18, 2015
G Arora

(**RITU BAHRI**)
JUDGE