

HIGH COURT OF CHHATTISGARH, BILASPUR**Civil Revision No.120 of 2011**

Purushottam Keshwani S/o Late Kewal Ram Keswani, Aged about 65 years, R/o Sant Nirankari Satsang Bhawan, Idgahbhata, District Raipur (CG)

---Applicant

Versus

Gurubaksh Singh S/o Late Sardar Jugindar Singh, Address: Regal Steel Industries, Station Road, Raipur (CG)

---Respondent

For Applicant	:	G.D.Waswani, Advocate
For Respondent	:	Mr.Sunil Otwani, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/07/2016

1. Civil Suit filed by plaintiff-Suryakant Khubchandani on behalf of Sant Nirankari Mandal was decreed by the trial Court by the judgment and decree dated 31.7.2006.
2. Thereafter, during the course of execution, Suryakant Khubchandani died and in his place Gurubaksh Singh, Son of Late Sardar Jugindar Singh was substituted by the order dated 18.6.2011. Decree was again put to execution against the present applicant. He has filed an application under Section 47 of the CPC stating inter-alia that decree was passed by the trial Court in favour of Suryakant Khubchandani in his personal capacity and therefore, now the decree cannot be executed after death of Suryakant Khubchandani at the hands of Gurubaksh Singh acting as a agent of Sant Nirankari Mandal, which has been rejected by the trial Court by the impugned order.
3. Mr.G.D.Waswani, learned counsel appearing for the applicant, would submit that by passing the order impugned the trial Court has committed jurisdictional error.
4. On the other hand, Mr.Sunil Otwani, learned counsel for the

respondent, would support the order impugned.

5. I have heard learned counsel appearing for the parties and perused the documents appended to the revision.

6. I am of the view that since Gurubaksh Singh Son of Jugindar Singh has already been substituted in place of Suryakant Khubchandani and that order has not been challenged and attained finality the trial Court has not committed any jurisdictional error in the order impugned.

7. Consequently, the revision being without substance is liable to be and is hereby dismissed leaving the parties to bear their own cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-