

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 140 of 2016

Date of Decision: 12.01.2016

Rupa Ram

... Petitioner(s)

Versus

Jaswant Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

1. Whether reporters of local newspapers may be allowed to see judgment? Yes
2. To be referred to reporters or not? Yes
3. Whether the judgment should be reported in the Digest? Yes

Present: Mr. K.B.Raheja, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present petition under Article 227 of the Constitution of India for setting aside impugned order dated 15.12.2015 passed in execution petition without deciding the objection petition.

Learned counsel for the petitioner submitted that the Court below passed the impugned order without taking into consideration the objections having been raised in the objection petition. Precisely, learned counsel for the petitioner submitted that draft sale deed was not approved by the Court.

Having considered the submissions made by learned counsel for the petitioner, this Court is of the considered view that in the

objection petition, petitioner had taken the plea that decree for specific performance was not passed in accordance with law and the judgment & decree are not executable. Merely saying that draft sale deed is wrong and illegal, without pointing out any defect therein, cannot be considered to be a valid objection so as not to execute the decree having been duly passed by the Court of first instance and duly affirmed by the First Appellate Court. Admittedly, no stay order has been passed by this Court in regular second appeal by now. The trial Judge has rightly dismissed the objection petition being devoid of any merit.

The present petition is without any merit and the same stands dismissed, in limine.

(Shekher Dhawan)
Judge

January 12, 2016

"DK"