

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.1627 of 2016 (O&M)
Date of Decision.11.07.2016

Nasib Singh (now deceased) through his LRs and anotherPetitioners

Vs.

Ajit Singh now deceased through his LRs and others
.....Respondents

Present: Mr. A.S. Barnala, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioners is aggrieved of the impugned order whereby the objection in execution application for execution of the judgment and decree dated 23.02.1995 has been dismissed.

Mr. A.S. Barnala, learned counsel for the petitioners-decree holders submits that the judgment and decree was passed against the judgment debtors but the same was not implemented in execution proceedings and the report of the Tesildar was sought but the said report was not according to the factual and actual aspects and the possession at the spot and accordingly, the petitioners-decree holders filed the objection and the same has been dismissed. It is submitted that an opportunity may be given to lead evidence contrary to the report of the Tehsildar.

I have heard the counsel for the petitioners, appraised the paper book and of the view that that the Executing Court did not prevent the petitioners to place on record any material along with the objections to the

report of the Teshildar, which it found congruous to the judgment and decree sought to be executed. The second objections have also been filed and they also stand dismissed. Once the petitioners have failed to belie the report of the Tehsildar, the Court below cannot linger on the execution petition infinitely.

There is no illegality or perversity in the order passed by the Court below and cannot be stated to be without jurisdiction. I do not find any reason for interference. The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

July 11, 2016
Pankaj*