

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2001-2014 (O&M)

Date of decision: 22.10.2016

Shimla Devi and ors

.....Petitioners.

Versus

Punjab Wakf Board

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE RAJAN GUPTA.

Present: - Mr. K.B.Raheja, Advocate for petitioners.

Mr. G.N Malik, Advocate for respondent.

Rajan Gupta, J.

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Present revision petition is directed against the order passed by the Executing court dated 15.2.2014 dismissing the objections filed by judgment-debtor/tenants. It appears that ejectment order dated 25.5.2005 was passed in favour of Wakf Board and on the basis of same Wakf Board had initiated execution proceedings before the Additional Civil Judge (Sr. Division), Sangrur. The judgment-debtor/tenants filed objections to the execution proceedings. It took the stand that Wakf Board was not owner of the property and thus not entitled to execute the ejectment order. Same was dismissed on the ground that judgment-debtor/tenants have no locus standi to challenge the ownership of the landlord. It appears that tenant also relied upon observations made by Tribunal in the judgment dated 11.11.2011, passed by Additional District Judge-I-cum Wakf Tribunal, Sangrur regarding ownership of the Wakf Board. I find that objections have

rightly been rejected by Executing Court. There can be no doubt that the judgment-debtor/tenants would have no locus standi to question the ownership of the landlord. Besides, in the connected revision petitions decided vide separate order of even date, this court has clarified that observations of the Tribunal in judgment and decree dated 11.11.2011 regarding the ownership of the Wakf Board would not be binding on the parties.

Accordingly, I find no merit in the present revision petition.

Dismissed.

(RAJAN GUPTA)
JUDGE

22.10.2016
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>