

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

C.R. No.5399 of 2016

Date of Decision.23.08.2016

Hardev Singh

.....Petitioner

Vs.

Chamkaur Singh

.....Respondent

Present: Mr. Navjot Singh, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner-decree holder is aggrieved of the impugned order whereby the objection under Order 21 Rule 90 CPC regarding the auction proceedings has been dismissed.

Mr. Navjot Singh, learned counsel appearing for the petitioner submits that in pursuance of the judgment and decree dated 10.04.2012 for a sum of ₹70,520/-, which had attained finality, the list of property was given for attachment and the same was put to auction. The applicant, though gave the bid but the bid was signed on a separate paper and the property actually auctioned is different to the one given in the list of attachment, which has a lesser value. The petitioner was misled regarding the identity of the property and he gave highest bid of ₹85,000/- and odd. All these aspects have not been taken into consideration by the Court below and the objection has been dismissed.

I have heard learned counsel for the petitioner and appraised the paper book. The auction was conducted on 08.08.2014 and the objections have been filed after four months. The petitioner has not

assigned any reason as to how his signatures have been taken on a separate

paper. I have seen vernacular of Annexure P-5. It is not in consonance with submission of Mr. Navjot Singh, much less, breach of procedure is there. There is list of other persons who participated in the bid, in essence, the Naib Tehsildar conducted the auction proceedings and the petitioner was found to be the highest bidder. He cannot turn around to raise the plea of having violated the procedure as envisaged under Order 21 Rule 90 CPC. It is too late in a day to raise such objection.

I do not find any reason to differ with the order under challenge. No ground for interference is made out. The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

August 23, 2016

Pankaj*

Whether reasoned/speaking	Yes
Whether reportable	No