

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.5802 of 2016
Date of decision:07.09.2016**

Jaila Singh (deceased) through LRs

... Petitioners

Vs.

Avtar Singh (deceased) through LRs and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. I.S.Brar, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

The petitioners, being the legal representatives of Jaila Singh (judgment debtor), are aggrieved of the impugned order dated 05.08.2016 (Annexure P-1), whereby, the objections filed in execution application, have been dismissed.

The suit for redemption was dismissed vide judgment and decree dated 10.01.1978 and appeal filed against thereto, has been accepted vide judgment and decree dated 20.02.1981. The matter was taken up before this Court and ultimately reached upto the Hon'ble Supreme Court. In the execution proceedings, the petitioners filed the objections on the premise that Jaila Singh had purchased the land measuring 32 kanals 1 marla vide registered sale deed dated 15.04.1966 which were dismissed vide order dated 05.08.2016. There were three mortgagees but only two Avtar Singh and Balwant Singh filed a civil suit to the effect that mortgaged land was

not got redeemed within the prescribed period of limitation, therefore, they are entitled to 2/3rd share of 32 kanal 1 marla and not of entire land.

In my view, the entire amount has been deposited. The aforementioned objections are devoid of merit, much less, misconceived. The decree has already attained finality and same very objection was taken before the Hon'ble Supreme Court. The LR's of the judgment debtor cannot now agitate on simple grounds, which have already been dealt with. No ground is made out for interference in the impugned order.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

September 07, 2016
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No