

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CR No. 6675 of 2014

Date of decision :03.08.2016

Jagdish Kumar Arora

.....Petitioner

Versus

State Bank of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.Gaurav Jain, Advocate
for the petitioner.

Mr.IPS Doabia, Advocate
for respondent no.1.

DARSHAN SINGH, J. (Oral)

The present revision petition has been preferred against the order dated 06.06.2012 passed by the learned Civil Judge (Sr. Division), Hisar and order dated 09.07.2014 passed by the learned Additional District Judge, Hisar, vide which the objections filed by the petitioner has been dismissed.

2. The petitioner has filed the third party objections before the learned Executing Court against the execution of the money decree in favour of the respondent-Bank. He was claiming himself to be a *bona fide* purchaser of the property

which was equitably mortgaged with the DH/Bank. This fact is not disputed that when he has purchased the suit property, it was already equitably mortgaged with the DH/Bank. Even, the original title deed was lying with the Bank. So, obviously he cannot claim himself to be a *bona fide* purchaser.

3. Learned counsel for the petitioner at the time of arguments has also stated that the petitioner is also ready to settle the dispute with the Bank. He has already deposited Rs. 2,50,000/- with the DH/Bank. Thus, the present revision petition having no merits, is hereby dismissed. However, the learned Executing Court will not take any further coercive steps for a period of two months from the date of this order. During this period, the petitioner shall be at liberty to approach the DH/Bank to settle the dispute.

03.08.2016

S.khan

**(DARSHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No