

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CR No.6989 of 2016 (O&M)

Date of decision:20.10.2016

Amrik Singh (deceased through LRs)

... Petitioner

Vs.

Nishabar Singh and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. R.S.Tacoria, Advocate  
for the petitioner.

**AMIT RAWAL J. (Oral)**

Petitioner – objector is aggrieved of the dismissal of the objections seeking execution of the judgment and decree dated 05.09.2014 passed in a suit for possession by way of specific performance of the agreement dated 02.09.2008 and alternative relief of Rs.13 lacs along with interest.

Mr. R.S. Tacoria, learned counsel appearing on behalf of the petitioner – objector submits that in respect of same very piece of land agreed to be sold, there was another agreement which is subject matter of RSA stated to be filed before this Court and there was an interim stay. In case, the petitioner did not pay the amount, the Court could not have ordered for auction of the same very property which is subject matter in the aforementioned RSA.

I am afraid, the aforementioned submissions are not sustainable

in the eyes of law. The remedy lies elsewhere. Once the decree has become final, particularly for alternative relief which is money decree, the Court has no other option but to entertain the objections and continue with the same. The objections tantamount to going beyond the decree as there is no compliance of the statutory provisions.

For the foregoing reasons, I am of the view that the order under challenge is perfectly legal and justified. No interference is warranted in the impugned order.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)  
JUDGE

October 20, 2016  
savita

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |