

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No. 7016 of 2015 (O&M)

Date of decision : 21.11.2016

Karam Singh (deceased) thr. his LR's & anr.

...Petitioners

V/s

Mahant Krishan Dass @ Ved Parkash
Chela Tulsi Dass (deceased) & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Badhran, Advocate for the petitioners.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by
executing court, operative part whereof reads as under:-

“14. The execution petition is allowed to the effect that Mahant Krishan Dass @ Ved Parkash is declared Chela of Tulsi Dass and he is entitled to receive the lease money and eject the JDs from the property of Sabha as per the order of the Hon'ble High Court of Punjab and Haryana, Chandigarh after the expiry of period of limitation of appeal/revision in this case. File be consigned to record room after due compliance.”

Only plea raised before the court is that it was never proved that Mahant Krishan Dass@ Ved Parkash was declared a Chela of Tulsi Dass. In my considered view, this issue cannot be gone into at this stage. The order passed by this court in RSA No. 882 of 2005 has attained finality. Petitioners who are appellants in said case had stated that they had no objection to the judgment and decree passed, if they were allowed to remain in possession as lessees at the rate of ₹2,000/- per acre for 10 years i.e. up to

this undertaking, judgment debtors were forced to file an execution petition before the court. Same has been rightly allowed by the court. Even now judgment debtors are raising one frivolous objection or the other to retain possession of the land. Under the circumstances, this petition is dismissed. In case petitioners do not hand over the possession within one month from today, they will be liable to pay ₹2.00 lacs as costs to the respondent namely Mahant Krishan Dass @ Ved Parkash Chela Tulsi Dass. A copy of this order be forwarded to the executing court forthwith.

November 21, 2016

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No