

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

Civil Revision No.7084 of 2013
Date of decision: November 03, 2016

Nahar Singh & others ...Petitioners

Versus

Mukhtiar Singh & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ashish Gupta, Advocate for the petitioners.
Mr. Sandeep Punchhi, Advocate for respondent No.1.

Rajan Gupta, J. (oral)

Present revision petition is directed against the order dated 27.07.2013 (Annexure P-3), passed by the trial court, whereby on an application moved by the decree holder for appointment of a local commissioner to execute the sale deed, the case was preponed from 17.10.2013 to 22.8.2013. The order reads as under:-

“File taken up today on the application moved by the decree holder through his counsel for early hearing and for appointment of Local Commissioner to execute the sale deed. Heard. In view of the contents mentioned in the application, file be put up now on 23.08.2013 instead of 17.10.2013 for filing objections. Parties be informed accordingly.”

Learned counsel for the petitioners has urged before this

court that this order was passed without any notice to the petitioners and is, thus, unsustainable.

Learned counsel for the respondent No.1, on the other hand, submits that petitioners have no right, whatsoever, to file objections as they never contested the suit. The case was contested only by Harbans Singh, who was a subsequent purchaser. The matter was decided upto the Hon'ble Supreme Court and suit was ultimately decreed.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

Admittedly, after order dated 27.7.2013, number of orders were passed by the court below. Even sale deed was executed and mutation was sanctioned. Impugned order has, thus, lost its significance. This court has given an opportunity to the petitioners to address on their right to file objections. However, no clear answer is forthcoming. From the perusal of record, it is clear that they are only proforma respondents. There is no ground to delve any further in the matter. Proceedings have almost culminated in the case. The revision petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

November 03, 2016
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No