

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

**CR No.8010 of 2014
Decided on: 15.02.2016**

Nand Kishore and others

....Petitioners

Versus

Jeet Singh and others

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present: Mr. N.C. Kinra, Advocate
for the petitioners.

Mr. Sandeep Singal, Advocate
for respondents No.1 and 2.

REKHA MITTAL J. (Oral)

The present petition has been directed against the order dated 07.10.2014, passed by the Additional Civil Judge (Senior Division), Rohtak, whereby the suit filed by the petitioners for redemption of mortgage and possession has been dismissed primarily on the ground that the petitioners/plaintiffs have sold the suit land to Smt. Mamta wife of Krishan, vide sale deed (Ex.D-1) executed on 11.01.2012.

A perusal of Para 2 of the plaint wherein the suit property has been described and copy of the sale deed dated 11.01.2012 (Annexure P-1) makes it crystal clear that the suit land has already been alienated by the petitioners in favour of Smt. Mamta, therefore, the petitioners have been left with no right or interest in the suit property. In this view of the matter, I do not find

any error much less illegality in the impugned order as would call for intervention. However, nothing stated in this order shall prejudice the right of the vendee under the sale deed to take recourse to appropriate remedy, if any, in accordance with law.

Disposed of accordingly.

(REKHA MITTAL)
JUDGE

15.02.2016
yakub