

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

**CR No.3278 of 2017
Date of Decision:05.12.2017**

Surjit Singh and others

...Petitioners

Versus

Ram Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.H.P.S.Ghuman, Advocate for the petitioners.
None for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Judgments debtors are in the revision petition against the order dated 14.3.2017, sentencing them in the civil imprisonment for a period of three months on the ground that they have not obeyed the civil court decree passed on 23.2.2015.

The respondent was given notice. However, nobody came present on his behalf.

In the present civil revision petition, petitioners have annexed a deed of compromise arrived at between the parties with the help of members of the Panchayat.

Learned counsel for the petitioners has submitted that petitioners have already vacated the premises and handed over vacant peaceful possession thereof to the decree holder.

The provisions of Order 21 Rule 32 CPC are to ensure compliance of the decree. In view of the subsequent development, the decree stands complied with.

No useful purpose would be served in sending the petitioners to civil imprisonment.

Taking into consideration these facts, the present revision petition is allowed. The impugned order dated 14.3.2017, sentencing the petitioners to civil imprisonment, is set aside. Since this order has been passed in the absence of the decree holder, he is granted liberty to move an appropriate application for recall, if the statement made by the learned counsel for the petitioner is incorrect.

05.12.2017
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No