

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

**CR No.6243 of 2016(O&M)
Date of Decision: 24.08.2017**

Dalip Singh and another

.....Petitioners

Vs

Jaswant Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Avtar S. Khinda, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner has challenged the order dated 03.02.2016 passed by Additional Civil Judge (Senior Division), Kapurthala, vide which the application under Order 21 Rule 32 CPC filed by the petitioner was dismissed.

[2]. A decree for declaration and permanent injunction was granted by the trial Court in favour of the petitioner on 03.01.2005. At the time of passing of the judgment and decree, parties were co-sharers in the joint land, which was partitioned thereafter. The order of partition was given effect in the revenue record and consequently, the petitioner was dispossessed in execution of order of partition.

[3]. Since the petitioner has been dispossessed in due course of law, therefore, no indulgence can be granted in the

application under Order 21 Rule 32 CPC.

[4]. In view of above, order dated 03.02.2016 passed by Additional Civil Judge (Senior Division), Kapurthala cannot be faulted with as the the same was not suffered with any error of jurisdiction. Revision petition is accordingly dismissed.

August 24, 2017.	(RAJ MOHAN SINGH)
Prince	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No