

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

108

Civil Revision No.6469 of 2017

Date of Decision:21.09.2017

Sveta Verma

....petitioner

Versus

Pooja Verma and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Ivneet Singh Pabla, Advocate
for the petitioner

ARUN PALLI, J. (ORAL):

 Contends, that a sum of ₹ 2400/- per month were awarded by the Court of Civil Judge (Senior Division), Chandigarh, to respondents No.2 to 4, who happened to be the minor daughters of respondent No.1-Pooja Verma, under Section 19 and 20 of the Hindu Adoption and Maintenance Act, against Ved Parkash Verma, father-in-law of Pooja Verma.

 It is urged that in the execution of the said order/decreed, vide order dated 16.08.2017, the executing Court had issued warrants of attachment qua residential House No.B05/01346, Near Gurudwara, Village Chhoti Kroran, Nayagaon, District Ajitgarh (Mohali) Punjab, which indeed is owned by the petitioner-Sveta Verma w/o Sanjeev Verma (another son of Ved Parkash Verma). Ved Parkash Verma has no right, title or interest, therein.

 The petitioner purport to have filed objections against the order dated 16.08.2017, which are alleged to be pending before the executing Court. However, vide a subsequent order dated 31.08.2017, the executing Court has put the property to sale for 25.09.2017 and the matter is now

posted for 28.09.2017. It is submitted that the petitioner has assailed the orders dated 16.08.2017 and 31.08.2017 by way of appeal, which is pending before the Additional District Judge, SAS Nagar, Mohali.

The limited grievance that the petitioner has is; that although, vide order dated 13.09.2017, the appellate Court admitted the appeal, but, notice in the stay application has been issued to the respondents for 03.11.2017. Whereas, the auction is slated for 25.09.2017. He submits that in the given situation, the appellate Court, ought to have considered the stay application moved by the petitioner and pass appropriate orders one way or the other, for, adjourning the matter beyond 25.09.2017 to 03.11.2017, would seriously prejudice her rights.

Ex facie, the appellate Court is in seisin of the dispute and the stay application is pending for 03.11.2017, whereas the property has been put to auction, for 25.09.2017. In the given situation, the petitioner is granted liberty to move an application before the appellate Court, itself, to consider her prayer for ad interim relief and pass appropriate orders, in accordance with law.

Accordingly, the revision petition is disposed of, in the above terms. Needless to assert, this order shall not constitute any expression of opinion on merits of the case.

A copy of the order be given to learned counsel for the petitioner under signatures of Court Secretary attached to this Court.

September 21, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No