

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.7651 of 2017 (O&M)
Date of Order: 06.11.2017

Rajit Ram

..Petitioner

Versus

Nirmal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jashanjot Singh Uppal, Advocate,
for the petitioner.

ANIL KSHETARPAL, J (Oral)

Petitioner claims to be a tenant in the property. Decree holder Nirmal Singh is executing the decree passed in his favour against judgment debtor. Petitioner filed a suit for permanent injunction. An application under Order 39 Rules 1 and 2 of the Code of Civil Procedure was also filed. Application for grant of temporary injunction was dismissed.

In execution petition, petitioner filed objections. However, he failed to lead any evidence, although many opportunities were given to him.

Taking into consideration these facts, the learned Executing Court closed the evidence of the objector.

Learned counsel for the petitioner has argued that sufficient opportunity was not given to the objector.

I have considered the argument made by counsel for the petitioner.

It is recorded in the order that in the objection petition, issues were framed on 25.07.2016. The evidence of the petitioner was closed on

21.12.2016. He was granted more than five month's time to produce evidence. Since, he failed to produce any evidence, therefore, the evidence of the objector was closed.

In the application for injunction, learned trial Court has recorded that the petitioner has failed to substantiate any document on record to prove that he was a sitting tenant on the premises in the dispute before the filing of the suit. A decree passed by the Court is to be acted upon and enforced. The execution of the decree cannot be delayed indefinitely.

Taking into consideration the aforesaid facts, this Court does not find any good ground to interfere with the order passed by the Executing Court. The revision petition is dismissed.

November 06, 2017
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No