

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

CR No.8282 of 2017
Date of decision: 28.11.2017

Laxmi Devi @ Lashmi Devi

... Petitioner

Versus

Malkit Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

This is a petition under Article 227 of the Constitution of India, praying for a direction to the Executing Court to decide the objections preferred by the petitioner.

The limited grievance that the petitioner has is that she had filed objections under Order 21 Rules 97, 99, 100 & 101 of the Code of Civil Procedure to the decree rendered in favour of respondent No.1. And, vide order dated 01.11.2017 (Annexure P7), the Executing Court had ordered the objections to be heard with the main case on 03.11.2017. It is urged that although, vide order dated 03.11.2017 (Annexure P8), the execution petition was disposed of, for, the respondent was put in possession of the suit property and the decree was satisfied. But, the Executing Court failed to decide the objections filed by the petitioner.

If that be so, the petitioner ought to have moved the appropriate application to the Executing Court itself in the first instance. Thus, the petition is disposed of, at this stage, with liberty to the petitioner to move the Executing Court in this regard for appropriate orders.

November 28, 2017
Rajan

**(Arun Palli)
Judge**

Whether speaking / reasoned:
Whether Reportable:

YES
NO