

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

TA-1006-2017

Date of decision: 18.12.2017

DALER SINGH SINCE DECEASED THROUGH HIS LEGAL HEIR JAGJIT KAUR

.....Applicant

V/S

KARTAR SINGHAND ORS

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. B D Sharma, Advocate
for the applicant

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Rekha Mittal, J. (Oral)

Prayer in this application is for transfer of execution application No. 182 of 2017 titled '*Kartar Singh vs Daler Singh*' from the Court of Civil Judge (Senior Division), Ferozepur to a Court of competent jurisdiction at Amritsar.

Counsel for the applicant represented by his legal heirs would state that one third pay of Daler Singh was attached for realization of the decretal amount. Daler Singh died on 16.05.2017 and left behind his legal heirs, detailed in para 2 of the application. The respondent-decree holder has pressed his claim for recovery of the outstanding liability from the pensionary benefits available to the family of deceased. The widow of the deceased is finding it difficult to pursue the application for execution pending in the Court at Ferozepur.

Personal presence of legal heirs of deceased Daler Singh is not required in the pending execution proceedings. The Legal heirs of Daler Singh, in place of honouring the decree passed by the Court, has rushed to this Court seeking transfer thereof without any tangible ground.

In view of the above, finding no merit, the application is dismissed.

**(Rekha Mittal)
Judge**

18.12.2017
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