

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1957 of 2008 (O&M)
Date of Order:01.02.2018

Harbhinder Singh @ Harvinder Singh ..Petitioner
Versus
Manjit Singh and others ..Respondents

Civil Revision No.3994 of 2011 (O&M)

Karam Singh ...Petitioner
Versus
Manjit Singh and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amarjit Markan, Advocate,
for the petitioner (in CR No.1957 of 2008)
for respondent no.11 (in CR NO.3994 of 2011)

Mr. Arihant Jain, Advocate and
Mr. Arun Jindal, Advocate
for the petitioner (in CR No.3994 of 2011)
for respondent no.7 (in CR No.1957 of 2008)

Mr. G.S.Bhatia, Advocate,
for respondent nos.1, 3 to 6 and LR's of respondent no.2.
(in CR No.1957 of 2008)
for respondent nos.1, & 7 to 10 (in CR No.3994 of 2011)

ANIL KSHETARPAL, J(Oral)

By this order, Civil Revision No.1957 of 2008 and Civil
Revision No.3994 of 2011 shall stand disposed of.

Learned District Judge, Sangrur, vide order dated 29.11.2007,
had set aside the court auction without hearing the auction-purchaser. The
auction-purchaser filed an application for review of the judgment, which
was also dismissed on the ground of limitation.

In the considered opinion of this Court, the auction-purchaser

was a necessary party and he was required to be heard as the auction in his favour was to be set aside.

On this ground alone, the revisions are required to be allowed. The order of learned District Judge, Sangrur, dated 29.11.2007, is set aside. The case is remitted back to the learned District Judge, to re-decide the appeal after giving opportunity of hearing to the auction-purchaser.

Since the dispute has been pending for more than 13 years, therefore the learned District Judge is requested to decide the appeal within a period of three months from the date of receipt of certified copy of this order.

All objections arising between the parties are kept open. The auction-purchaser would be a party-respondent in the appeal and be given opportunity to defend.

February 01, 2018
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(ANIL KSHETARPAL)
JUDGE

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