

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

**CR No.2020 of 2018(O&M)
Date of Decision: 07.08.2018**

PURAN KAUR

.....PETITIONER

VERSUS

HARI SINGH AND OTHERS

.....RESPONDENTS

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Gaurav Kalsi, Advocate
for the petitioner.

Mr. Kanwal Goyal, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner has assailed the order dated 04.01.2018 passed by Civil Judge (Junior Division), Patti, vide which objections filed by the petitioner were dismissed.

[2]. During course of hearing, it has come on record that the petitioner had already filed similar objections on earlier occasion. Those objections were dismissed by Civil Judge (Junior Division), Patti vide order dated 12.05.2017. The said order was never assailed by the petitioner by way of civil revision in the High Court. The impugned order has been

passed in the similar objections filed at a subsequent stage. The plea of the petitioner with regard to grant of *status quo* by the Hon'ble Apex Court has not been established on record by way of any order produced by the petitioner.

[3]. Learned counsel for the petitioner submits that the decree holder has taken illegal possession during pendency of execution and an independent suit under Section 6 of the Specific Relief Act has been filed which is pending before the competent Court.

[4]. On the other hand, learned counsel for the respondents submits that the decree holder has taken lawful possession in the execution and the decree has been satisfied and has been consigned to the record room.

[5]. The factum of illegal/forcible possession would be gone into by the trial Court in the suit under Section 6 of the Specific Relief Act. In view of earlier decision in the similar objections on 12.05.2017 and non-production of copy of status quo by the Hon'ble Supreme Court would go in a way to dislodge the present objectors particularly when SLP filed by the petitioner has already been dismissed by the Hon'ble Apex Court on 08.12.2017.

[6]. No error of jurisdiction is found in the impugned order dated 04.01.2018 passed by Civil Judge (Junior Division), Patti.

This revision petition is found to be totally devoid of merits and the same is accordingly dismissed.

August 07, 2018
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No