

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

120

CR No.360 of 2018
Date of Decision:19.01.2018

Surinder Kaur and another

...Petitioners

Versus

Harsimran Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aayush Gupta, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

Decree-holders are in the revision petition praying for issuance of direction to the learned Executing Court to finally decide the execution petition, which is pending for the last more than 4 years.

As per the case of the petitioners, a decree for possession by way of specific performance of agreement to sell was passed in their favour. Appeal and second appeal filed by the judgment-debtors was dismissed. Decree-holders filed execution in the year 2013 and deposited balance sale consideration as directed in the decree. However, the execution remained pending for more than 4 years. Neither the sale deed has been executed nor the possession has been delivered.

Learned counsel for the petitioners has drawn attention of the Court to the various zimini orders passed by the Court from 19.09.2014 onwards.

Every Court is entitled to regulate its daily cause list. However, in certain extra ordinary situations, this Court is compelled to request the

learned Executing Court to finally adjudicate the dispute within the time frame. Here is a case, which falls in that category. Once the decree for possession by way of specific performance has become final as asserted by the petitioners and the execution is pending for the last more than 4 years, this Court is of the considered opinion that the learned Executing Court must make sincere endeavour to expeditiously decide the execution petition preferably within a period of 2 months from the date of receipt of certified copy of the order.

Hence, the revision petition is disposed of.

19.01.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No