

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

Civil Revision No.4023 of 2017.
Decided on:-January 12, 2018.

Rachhpal Kaur.

.....Petitioner.

Versus

Balwinder Singh and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Abhishek Arora, Advocate
for the petitioner.

HARI PAL VERMA, J.

The petitioner has filed present civil revision petition under Article 227 of the Constitution of India impugning the order dated 04.05.2017 passed by learned Civil Judge (Senior Division), Fatehgarh Sahib, whereby warrant of sale of property in execution of the decree dated 21.03.2015 has been issued.

Vide judgment and decree dated 21.03.2015, learned civil Court has decreed the suit for specific performance filed by the respondent-plaintiffs and accordingly, alternative relief of recovery was allowed. Thus, a decree for recovery of Rs.2,52,000/- being refund of advance money along with interest thereon @ 12% per annum from the date of agreement i.e. 20.08.2005 till the date of passing of the decree was passed. The plaintiffs were also held entitled further interest @ 6% per annum from the date of decree till its realisation.

Learned counsel for the petitioner has submitted that, in fact, the matter was kept in Lok Adalat, where it was compromised and the petitioner undertook to pay the compromised amount in different instalments, but on account of her financial condition, she has not been able to pay the said amount.

Having heard learned counsel for the petitioner and taking into consideration the fact that even against the judgment and decree dated 21.03.2015, no appeal has been preferred by the petitioner/judgment-debtor and despite having agreed to pay the amount before the Lok Adalat, the amount has not been paid, this Court does not find any valid reason to interfere with the impugned order dated 04.05.2017 passed by the executing Court.

Accordingly, the impugned order dated 04.05.2017 passed by learned Civil Judge (Senior Division), Fatehgarh Sahib is affirmed and the present civil revision petition, being devoid of any merit, is dismissed.

January 12, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No