

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

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**C.R. No. 4027 of 2018
Date of decision:18.06.2018**

Gram Panchayat village Butani

.....Petitioner(s)

Versus

Jumla Malkan village Butani

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. R.N. Lohan, Advocate for the petitioner.

Mr. Mani Ram Verma, Advocate for the respondent.

AMIT RAWAL, J. (ORAL)

The present revision petition has been filed against the judgment and decree dated 16.05.2018, whereby Civil Judge (Junior Division), Sub Division, Safidon has directed the petitioner/defendant to release the suit land and pay the income earned by the receiver and get the revenue record corrected in their favour.

Mr. Lohan learned counsel appearing for the petitioner-defendant submitted that though the lower appellate Court has issued notice in the appeal filed by the defendant to the respondent-plaintiff/caveator but no notice in the stay application has been issued. No execution petition has so far been filed for execution of the judgment and decree, and, therefore, he expressed his apprehension that without filing execution petition defendant could not be directed to release the land, for, the judgement and decree could not be implemented without intervention of the Civil Court.

Since the appeal along with the stay application is already

pending, no ground is made out to entertain the present petition particularly when no execution application has been filed by the plaintiff.

Hence, revision petition is dismissed.

June 18, 2018
Poonam (II)/anju rani

(AMIT RAWAL)
JUDGE

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|----|------------------------------|-----------------|
| 1. | Whether reportable? | Yes / No |
| 2. | Whether reasoned / speaking? | Yes / No |