

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

208

CR No. 4881 of 2013

Date of Decision: July 30, 2018

Jagga Singh

...Petitioner

Versus

Harnek Singh and others

...Respondents

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

Present:Mr. J.S. Khattar, Advocate for
Mr. Deepak Sharma, Advocate
for the petitioner.

None for the respondent.

RAJ MOHAN SINGH, J. (Oral)

[1] Petitioner has challenged the order dated 13.11.2009 passed by Additional Civil Judge (Sr. Division), SAS Nagar (Mohali), whereby objections filed by the petitioner were dismissed and appeal filed against the said order was also dismissed by Additional District Judge, SAS Nagar (Mohali).

[2] The execution application under Order 21 Rule 32 CPC filed by the decree-holder was sought to be dismissed by the petitioner by way of objections.

[3] Additional Civil Judge (Senior Division), SAS Nagar (Mohali) by referring to the order dated 08.12.2000 passed by the High Court observed that three months time was given to judgment debtor for removal of the obstruction/encroachment

made by them in the passage leading to the house of decree-holder. The plea of the objector/petitioner was negated whereby it was held that Executing Court cannot go behind the decree. The execution of lawful decree which was upheld upto the stage of regular second appeal was held to be lawful. Even after filing of the present revision petition in the year 2013, no effort was made by the petitioner to address arguments even for once.

[4] Perusal of the record would show that since the date of filing of the revision petition, only adjournments were sought for number of occasions. Even petitioner has died and no application for bringing on record his legal representatives has been filed.

[5] Owing to the conduct of the petitioner, no indulgence can be granted in this revision petition and the same is accordingly dismissed.

July 30, 2018

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No