

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.7986 of 2017(O&M)
Date of Decision: 21.09.2018

Kailash Chander

.....Petitioner

Versus

Akhara Nirvansar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Rakhi Sharma, Advocate
for the petitioner.

Mr. Nirmal Preet Singh Hira, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J.(Oral)

[1]. Notice of motion was issued only for the purpose of exploring possibility of amicable resolution of dispute between the parties. Respondents No.1 and 2 were proceeded against *ex parte* vide order dated 23.02.2018.

[2]. Learned counsel for respondent No.3 stated that there is no possibility of compromise.

[3]. Civil Court decree dated 29.08.1997 was assailed in the suit. Objections were filed in the execution on the ground on which the Civil Court decree was assailed. Those objections were dismissed by the executing Court on 07.03.2014. Appeal

was also dismissed on 24.12.2015. Even revision petition filed against the said order was dismissed vide order dated 28.05.2016. Thereafter, third party objections were filed by the petitioner under Order 21 Rules 97 and 98 CPC. Objections were dismissed in hierarchy. In the application under Order 39 Rules 1 and 2 CPC, interim injunction is sought against execution of lawful decree which was upheld upto High Court.

[4]. No exception can be made out to the impugned orders passed by the Courts below. This revision petition is accordingly dismissed.

September 21, 2018
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No