

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

**CR No.9011 of 2017 (O&M)
Date of decision : March 06, 2018**

Mulakh Raj Petitioner

Versus

Kuldeep Singh Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amit Kumar Saini, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 01.08.2017 (Annexure P-4) passed by the learned Addl. Civil Judge (Sr. Divn.), Karnal, vide which the objection filed by the petitioner-judgment debtor against the auction of the property, was dismissed.

Heard.

It comes out that the execution for recovery of money is pending. After the attachment, the auction of the house of the petitioner-J.D. took place on 23.03.2017. The objection of the petitioner-J.D. is that the value of the house is about ₹50-60 lakhs and it was sold for an amount of ₹28,45,000/- in auction.

It is stated that proper *munadi* was not done. With the result that proper bidders could not be invited.

The order of the trial Court shows that proper *munadi* was done. The petitioner-J.D. himself signed the *munadi* report sheet. It is also clear from the fact that in the auction sheet, 11 bidders are reported to have

participated in the bid. ₹2,000/- each were deposited by the bidders as token money to participate in the auction. The house was auctioned at ₹28,45,000/-, which is more than half of Rs.50,00,000/-, the value of the house as claimed by the petitioner-J.D.

It is observed that normally, in such cases, the auctioned property fetches 1/3rd of its value. Therefore, the auctioned property was sold for a reasonable value. The trial Court has also observed that there is no such material irregularity or substantial injury, so as to set aside the auction and such objections are barred under Sub Rule 3 of Rule 90 of Order XXI CPC, 1908.

Consequently, I do not find any merits in the present revision petition. As such, the same is, accordingly, dismissed.

(KULDIP SINGH)
JUDGE

March 06, 2018

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Whether speaking / reasoned Yes

Whether Reportable: No