

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ESA No. 25 of 2018 (O/M)
Date of decision : 2.5.2018

Ramrati

..... Appellant

Versus

Rajpal

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Himanshu Jawa, Advocate,
for appellant.

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 present execution second appeal is order dated 12.4.2018, passed by learned Additional District Judge, Sonapat, affirming the order and judgment dated 4.8.2012, passed by learned Additional Civil Judge (Senior Division), Sonapat, vide which objection against execution was dismissed.

Heard.

It comes out that by way of objection, objectors who are successor in interest of original defendant want findings of suit to be looked into which is not possible in execution. Trial Court has relied upon report of bailiff to find out that dimension of property was found to be correct. It was also found that encroachment is existing at the spot. Accordingly, objections were dismissed and warrants of possession were issued.

I am of the view that trial Court is to faithfully execute the decree. It cannot go behind the decree to find out and comment on merits of case in

ESA No. 25 of 2018 (O/M)

which decree was passed. There are concurrent findings of two Courts below. There is no ground to interfere in impugned order. Consequently, appeal is dismissed. Since main case has been dismissed, therefore, pending application, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

2.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No