

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.14403 of 2018(O&M)
Date of Order: 21.12.2018

Gurnam Singh

..Petitioner

Versus

Amar Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.B.S.Baidwan, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

Gurnam Singh, subsequent purchaser has filed this revision petition against the orders passed by the learned Executing Court dated 21.09.2018 and 06.12.2018.

Learned counsel for the petitioner submits that a money decree was passed against the judgment debtor i.e. Budh Singh. The property in question was sold by Budh Singh in favour of Smt. Kulwant Kaur, who has in turn sold the property in favour of the petitioner. Hence, he submits that on the date the decree was passed Budh Singh was not the owner of the property.

On careful examination of the orders passed, it is apparent that the learned Executing Court has just noticed that the sale deed in favour of Gurnam Singh dated 10.01.2018, and applied rule of lis pendence and dismissed the objections. The contention being raised before this court has neither been noticed nor dealt with.

Keeping in view the aforesaid facts, the revision petition is disposed of with liberty to the petitioner to move an application before the

learned Executing Court in respect of the contention being raised and the learned Executing Court after examining the facts available on the file would pass appropriate orders in accordance with law.

December 21, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No