

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

**CR No.8439 of 2018(O&M)
Date of Decision: 11.12.2018**

**Manjit Singh deceased through LR Petitioner
Versus
Lakhwinder Singh and others Respondents**

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

Present:Mr. Kanwar Pahul Singh, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner/decreed holder has preferred this revision petition under Article 227 of the Constitution of India for issuance of an appropriate direction to the executing Court to decide the execution No.280/2013 dated 10.12.2011 titled Manjit Singh deceased through LR Vs. Lakhwinder Singh in a time bound manner.

[2]. A suit for specific performance filed by the plaintiff/petitioner/decreed holder was decreed by the trial Court vide judgment and decree dated 13.11.2007. The said decree was upheld by the Lower Appellate Court vide judgment and decree dated 09.09.2011. In the execution filed by the decree holder, third party objections filed by Manjit Kaur were dismissed

by the executing Court vide order dated 07.09.2017 against which CR No.7176 of 2017 was filed in the High Court and the same was disposed of on the statement of the objector vide order dated 13.10.2017.

[3]. Learned counsel for the petitioner submitted that there is no stay granted by any Court against execution of the decree and even police help has already been ordered for taking possession of the land in question. Now 14.12.2018 is the date fixed for taking possession. Learned counsel contended that judgment debtor is in the habit of exercising political cloud in order to restrain the police from providing any help to the decree holder for taking possession of the land in question.

[4]. This revision petition can be disposed of by directing the executing Court to execute the decree in a lawful manner including availing of police help as already ordered by the Court. Executing Court would see that its lawful order is implemented with all force and the executing Court shall ensure that no unlawful and unnecessary hurdle is created by anyone in lawful execution of the decree.

[5]. Disposed of.

11.12.2018

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**Whether reasoned/speaking
Whether reportable**

**(RAJ MOHAN SINGH)
JUDGE**

**Yes/No
Yes/No**