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

**Civil Revision No.4825 of 2018 (O&M)
Date of Decision: 09.12.2019**

LAL SINGH

.....Petitioner

Vs

NACHHATTAR SINGH AND ANR

....Respondents

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

Present: Mr. Dhirinder Chopra, Advocate
for the petitioner.

Mr. J.S. Saneta, Advocate
for respondent No.1.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has laid challenge to the order dated 10.07.2018 passed by the Civil Judge (Junior Division) Patiala, vide which the objections filed by the judgment debtor/petitioner were dismissed and warrants of possession of the property as per *jamabandi* for the year 2010-2011 of village Moond Khera were issued in respect of Khasra Nos.136, 138 and 139.

[2]. Learned counsel for the petitioner submitted that initially the present execution was stayed by the High Court vide order dated 10.05.1999 passed in RSA No.1454 of 1999. The said order was passed at the time of admission of the appeal

filed by the petitioner/appellant. The order dated 10.05.1999 was further modified by the High Court vide order dated 06.12.1999 to the extent that during the pendency of the appeal, parties shall maintain *status quo*.

[3]. Perusal of the impugned order would show that the executing Court has proceeded to issue warrants of possession on the premise that the aforesaid RSA No.1454 of 1999 has been withdrawn as not pressed in view of compromise dated 24.09.2003 executed between the parties and presented before the Lok Adalat of the High Court.

[4]. Learned counsel by referring to the orders dated 31.05.2012 and 03.04.2013 passed by the President, Pre-Lok Adalat submitted that at one point of time, the appellant intended to withdraw the appeal in terms of the compromise and the matter was ordered to be placed before the Mega Lok Adalat, but owing to the conduct of the respondent/decreed holder in transferring the land thereafter in favour of his son and grand son before the year 2013, the matter could not be patched up. As on date, RSA No.1454 of 1999 is still pending with interim order of *status quo* between the parties.

[5]. In view of aforesaid factual position, I deem it appropriate to dispose of this revision petition by directing the executing Court to defer the execution proceedings, till RSA

No.1454 of 1999 is finally decided so that factum of compromise is given effect between the parties.

December 09, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No