

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

**CR No.2926 of 2019(O&M)
Date of Decision: 21.05.2019**

**Lakhwinder Singh
Versus
Jalandhar Singh**

**.....Petitioner
.....Respondent**

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

Present:Mr. N.K. Manchanda, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.

[1]. Petitioner has preferred this revision petition against the order dated 12.10.2018 passed by Additional Civil Judge (Senior Division), Giddarbaha whereby the application filed by the petitioner for setting aside the sale/auction dated 16.09.2013 and sale certificate dated 19.03.2014 was dismissed.

[2]. Perusal of the record would show that the sale in respect of 5 kanals 2 marlas of land was conducted on 16.09.2013 in execution of decree dated 01.12.2010. Sale certificate was issued in respect of land measuring 5 kanals, 2 marlas being 102/624 share of total land measuring 31 kanals 4 marlas on 20.02.2014. As per record, possession of the land was delivered in favour of the decree holder vide rapat No.275

dated 19.01.2015.

[3]. The application for setting aside the aforesaid sale and confirmation of sale on 03.04.2015 was filed on the ground that the petitioner was under the influence of poison for two years and he remained under mental stress. Even FIR was registered against him in which he has already been acquitted.

[4]. The record would also show that after passing of the decree, no effort was made by the petitioner to file any appeal against the judgment and decree dated 01.12.2010. Decree has already attained finality. Even no objection was filed in terms of Order 21 Rules 58, 64, 66, 89 and 90 CPC at any point of time.

[5]. At this fag end of the litigation where the sale has already been confirmed, the completed transactions cannot be re-opened. Petitioner kept mum till completion of entire proceedings. Even delivery of possession has already been made as per record.

[6]. At this stage, no indulgence can be granted for setting aside the entire proceedings. This revision petition is found to be totally devoid of merits and is accordingly dismissed.

21.05.2019

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**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No