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

CR No. 4031 of 2019 (O&M)
Date of Decision: 12.09.2019

State of Punjab and others

-Petitioners

Vs

Bir Masih

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Maloo Chahal, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The present revision petition was consigned to record room vide order dated 13.08.2019 with a liberty to the petitioners to get it revived after compliance of order dated 03.07.2019.

Since compliance of order dated 03.07.2019 has been made, therefore, revision petition is revived and is taken up today.

Conduct of the department in pursuing the proceedings before the Executing Court has been found to be deplorable inasmuch as that the department could not produce material to show that the judgment and decree dated 14.05.2010 passed by the Additional District Judge (Adhoc), Fast Track Court, Amritsar has been satisfied in pith and substance.

Petitioners could not prove the stand of earlier two occasions when their objections were dismissed by the Executing Court on 06.08.2016 and 06.10.2018.

Vide the impugned order, objections filed on third occasion have also been dismissed.

The present revision petition has been filed along with an application under Section 5 of the Limitation Act seeking condonation of delay of 77 days in filing the present revision petition.

Perusal of the material in entirety would show that the petitioners had derelicted their duties and did not consider the lawful claim of the decree holder.

Findings recorded by the Executing Court cannot be held to be the result of mis-reading of evidence or suffered with any perversity.

No indulgence can be granted in this revision petition.

Dismissed.

Since the main petition has been dismissed, therefore, there is no need to pass any order in the application for condonation of delay.

12.09.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |