

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

CR-4586-2019 (O&M)

Date of decision: 24.07.2019

Shanti Devi and another

...Petitioners

Versus

Vedpal Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Shubhm Gupta, Advocate for the petitioners.

H.S. MADAAN, J.

This revision petition is directed against order dated 12.07.2019, passed by Civil Judge (Jr. Divn.) Faridabad, in an execution case No.70 of 2018 titled 'Ved Pal Vs. Smt. Shanti Devi and another', whereby the objections to execution filed by revisionists/JDs Shanti Devi and Devender Kumar had been dismissed.

Briefly stated facts of the case are that plaintiff Vedpal Singh had filed a suit against Smt. Shanti Devi and her son Devender Kumar, defendants, seeking specific performance of agreement to sell dated 23.02.2005 with regard to the suit property. That suit was contested by both the defendants, however, vide judgment and decree dated 22.01.2015, the suit was decreed with costs. Plaintiff was directed to pay the remaining sale consideration of Rs.7,30,000/- to defendants and thereafter, the defendants were to execute the sale deed

in favour of plaintiff within a period of two months from the date of judgment. It was further observed that in case, the defendants failed to execute the sale deed in favour of the plaintiff within the stipulated period, the plaintiff would be at liberty to get the sale deed executed in his favour by adopting process of law. Further, the defendants were restrained from alienating the suit property to any other person. Feeling aggrieved by said judgment and decree passed by the trial Court, the defendants had preferred an appeal before District Judge, Faridabad, which was assigned to Addl. District Judge, Faridabad, who vide judgment and decree dated 08.08.2017, dismissed the appeal, upholding the judgment and decree passed by the trial Court. Thereafter, the plaintiff had filed an execution application, wherein the Executing Court issued warrants of possession. Therein, the defendant appeared and filed objections which were dismissed, vide impugned order. The learned counsel for the petitioners has referred to judgments by Apex Court i.e. **Chanda (dead) thr. LRs Vs. Rattni & Anr.** 2007 (2) RCR (Civil) 534 and **Prem Jeevan Vs. K.S. Venkata Raman & Ors.** AIR 2017 SC 623.

The order is quite detailed and well reasoned. The objections of defendants/JDs were considered and rejected, giving valid reasons.

I have gone through the impugned order and I find that there is no illegality or infirmity in therewith, much less apparent on

the face of such order, which might have called for interference by this Court, while exercising revisional jurisdiction. As far as judgments referred to by learned counsel for the revisionists, those are not applicable due to different facts and circumstances and the context in which such observation had been made. Thus, finding no merit in the revision petition, the same stands dismissed.

24.07.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No