

CM-17096-CII-2019 in/and
CR No.4803 of 2019
Date of Decision: 27.8.2019

Iliyas and others

.....Petitioners

Versus

Narender Singh Yadav

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Arjun Atri, Advocate, for the petitioners.

NIRMALJIT KAUR, J. (ORAL)

CM-17096-CII-2019

For the reasons mentioned in the application, the same is allowed. The date of hearing of revision petition is preponed from 4.10.2019 to today itself. The revision petition is taken on board.

CR-4803-2019

Learned counsel for the petitioners while praying for setting aside the order dated 6.7.2019, vide which, a direction has been issued to hand over the possession stated that the petitioners had filed objections and in the objections they had specifically said that the amount of ₹ 7 lacs has not been paid but in spite of the same, the possession is being ordered to be handed over. It is not disputed that per the the judgment and decree passed in favour of the respondent herein, they were required to pay only ₹ 2,50,000/- before the execution of the sale deed. It is also not disputed that the sale deed has since been executed. Thus, the question was only of possession, which has not been handed over till date. Hurdle put in the way of the respondent for execution of the decree, is nothing but contempt of the

order and decree. The argument that ₹ 7 lacs is not paid, does not help, as the petitioners raised the objections but never led any evidence to prove the same and the objections were closed by order dated 31.5.2019, which was not challenged.

In view of the same, this Court finds no reasons to interfere with the order dated 6.7.2019.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

27.8.2019
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No