

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

115

CR-6201-2019

Date of Decision : September 27, 2019

RAMRATI AND ANOTHER

.....Petitioners

VERSUS

CHIRANJI LAL (SINCE DECEASED) THROUGH HIS LR AND
OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Devinder Singh, Advocate
for the petitioners.

NIRMALJIT KAUR, J. (Oral)

While praying for setting aside the order, learned counsel for the petitioners submitted that the execution petition is filed after the expiry of limitation period. Secondly, his application for recalling of the order passed in RSA No.1910 of 1993 is still pending. The Executing Court has given detailed reasoning in its para No.5 of the order. Learned counsel for the petitioners has not been able to point out any error in the same. The decree holders had filed an execution petition on 16.8.1993. The same was adjourned sine-die vide order dated 9.12.1995. It was revived after the RSA filed by the petitioners-judgment debtors was dismissed on 21.7.2004. Thereafter, the execution petition was revived within the limitation period of twelve years i.e. on 7.2.2015. Even otherwise, the execution petition had never been dismissed and had simply been adjourned sine-die. Therefore, the arguments that the same was revived beyond limitation cannot be accepted. The second argument

that his application for revival of the RSA is still pending too has no merit. As on date, the order passed in the RSA has not been recalled. Therefore, no ground is made out to interfere in the order dated 11.9.2019 having been passed by way of detailed reasoning.

Dismissed accordingly.

September 27, 2019
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(NIRMALJIT KAUR)
JUDGE

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