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

**Civil Revision No.14393 of 2018
Date of Decision: 14.01.2019**

DHAPA DEVI

.....Petitioner

Vs

CHANDERKALA AND ORS

....Respondents

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

Present: Mr. Rajesh Goyal, Advocate and
Mr. P.S. Saini, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has assailed the order dated 17.11.2018 passed by the Civil Judge (Sr. Divn.) Narnaul vide which decree holder No.7 was made assignee of the decree in question.

[2]. The suit for specific performance was decreed in favour of seven decree holders. Decree holders No.1 to 6 assigned the decree in favour of decree holder No.7/Chander Kala.

[3]. Petitioner has set up possessory right under judgment debtor and thereafter has also purchased share in the disputed land. The Court has observed that there is no decree passed by any competent Court declaring the petitioner to be an occupancy tenant.

[4]. The findings recorded by the executing Court in para nos.10 and 11 of the impugned order would answer the grievance of the petitioner to the hilt. By virtue of the assignment and decree holder No.7 being assignee, the sale deed would be executed in favour of decree holder No.7 (Chander Kala) instead of decree holders No.1 to 6. Even as per recital in the agreement to sell, there is apparent right pleaded by the vendee that the sale deed can be executed in his favour or in favour of his assignee.

[5]. The indulgence granted by the trial Court vide the impugned order cannot be faulted with. Petitioner may avail her legal remedies in accordance with law. This revision petition is accordingly dismissed.

January 14, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No