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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **RFA 333/2007**

HARBHAJAN SINGH BHALLA THRU LRs Appellants
Through: Mr. S.K. Bhaduri, Advocate (Mobile
No. 9810439195) with Mr. Jagjeet
Singh Bhalla, LR of the appellant in
person.

versus

PYARE LAL AND ORS. Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
% **19.02.2019**

1. Learned counsel for the appellants, and who are the legal heirs of the deceased defendant, states that none of the legal heirs of the deceased defendant-Sh.Harbhajan Singh Bhalla has received any property of any form from the deceased Sh.Harbhajan Singh Bhalla, and therefore the appellants would not be liable to pay the amounts of the impugned judgment and decree in case execution petition is filed against the appellants. Reliance is placed by counsel for the

appellants, the legal heirs of deceased Harbhajan Singh Bhalla, on the provisions of Sections 50 and 52 CPC.

2. In view of the aforesaid, while disposing of the appeal as not pressed, it is observed that in case any execution petition is filed against the appellants, the appellants will be entitled to have the defence under Sections 50 and 52 CPC, that the impugned judgment and decree dated 3.4.2007 be not executed against the appellants, either jointly or individually, inasmuch as, none of the appellants have received any property or properties from deceased Sh.Harbhajan Singh Bhalla.

3. The appeal is accordingly disposed of in terms of the aforesaid observations and giving the aforesaid liberty.

VALMIKI J. MEHTA, J

FEBRUARY 19, 2019

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