

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 24 of 2020**

Pradeep Jain, Son of Late Panchamlal Jain, Aged About 62 Years, Residence of Q.N. 12, Usha Nagar, Police Station Supela, Bhilai Nagar, District : Durg, Chhattisgarh

---- Petitioner***Versus***

1. Chola Mandalam Investment And Finance Company Limited Office- Deyar House, First Floor No. 02, Netaji Subhashchandra Road Pairi, Chennai, 600001
Branch Office- Shop No. 506-509, Fifth Floor Corporate Park G.E. Road Raipur Chhattisgarh Through- Authorized Officer- Prakash Verma, M.N. 99813-43191 (Decree Holder), District : Raipur, Chhattisgarh
2. Purshottam Lal Soni Son Of Mohan Dolai Aged About 60 Years Son Of Late Leeladhar Soni
3. Geeta Soni Wife Of Purshottam Lal Soni Aged About 50 Years

(Both are Residence Of - Quarter No. E.W.S. 14/12-13(First Floor) Kosanagar, Thana Supela Bhilainagar, Tahsil And District Durg Chhattisgarh Official Address- Asha Watch Company Shop No. 13 Nandni Road Power House Bhilainagar, Tahsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh)

---- Respondents

For the Petitioner : Mr. Vikash Pandey, Advocate.

For the State : None

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on board****09.03.2020**

Heard.

1. The petitioner is aggrieved by the order dated 23.07.2019 to which the application filed by the petitioner under Order 1 Rule 10 of CPC was

dismissed.

2. It is submitted that the petitioner had an agreement with judgment-debtor for sale of the property for which the execution case has been filed by the respondents. Therefore, on this basis, prayer was made for impleadment of the petitioner as a party in the execution proceedings. The learned court below has dismissed the application of the petitioner, hence it is prayed for interference be made.
3. Considered on the submission made and also perused the documents copies filed along with the petition. A prayer was made by the petitioner himself is only based on one agreement, which is said to have taken place between him and the respondents no. 2 and 3. Agreement alone does not confer any title upon the petitioner, therefore, on this basis he has no entitlement to resist the execution of decree, which has been prayed by the respondent no. 1. Hence, I do not find any error committed in the impugned order.
4. Accordingly, the petition is dismissed at the motion stage.

Sd/-
(R.C.S. Samant)
Judge