

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

120

CR No.284 of 2020

Date of decision : 12.02.2020.

Salma @ Salim and another

... Petitioners

Versus

Akhtari and others

.. Respondents

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Pradeep Chhoker, Advocate for the petitioners.

Anupinder Singh Grewal, J. (Oral)

The petitioners had filed objections to the execution of a decree which had been declined vide the impugned order dated 06.01.2020.

Learned counsel for the petitioners contends that the petitioners are in possession of the suit land for which the decree has been passed in their absence. He also contends that the petitioners have built houses and in case, the decree is executed, they would be put to irreparable loss.

Heard.

In the suit preferred by the respondents, the judgment and decree had been passed on 14.12.2018 with regard to land comprising 06 marlas in Khewat No.296, Khatoni No.1161, Khasra No.177/1 in village Kundla. In the suit as well as in the decree-sheet, the aforementioned khasra numbers have been specifically spelt out. However, in the application which has been submitted by the petitioners before the Executing Court raising objections to the execution of the decree, it is stated that the petitioners are in physical and actual possession of land comprising in Khewat No.186//144min, Khatoni No.240, Khasra No.158(0-19), Gair Mumkin Bara as co-owners.

In view of the above, I do not find any infirmity in the impugned order rejecting the objections of the petitioners by holding that the land for which the decree of possession has been passed, is entirely different from the land which the petitioners/objectors are claiming to be in possession. The land of the petitioners comprises Khasra No.158, while the decree has been passed with regard to land comprising Khasra No.177/1.

Consequently, I do not find any merit in the petition which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

February 12, 2020
sonia gugnani

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