

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

CR No.1235 of 2020

Date of decision: 20th February, 2020

Bala Devi & others

... Petitioners

Versus

Yashvir Singh Dahiya

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Balbir Singh Dhull, Advocate for
Mr. Rahul Makkar, Advocate for the petitioners.

FATEH DEEP SINGH, J.

In this civil revision preferred by the petitioner Smt. Bala Devi and others, challenge has been sought before this Court to orders dated 14.01.2020 (Annexure P1) passed by the Court of learned Addl. Civil Judge (Senior Division), Rohtak thereby dismissing the objections of the Judgment Debtors against the Decree Holder respondent Yashvir Singh Dahiya.

Yashvir Singh Dahiya (then plaintiff) filed against Anand Singh defendant a suit for possession by way of specific performance of agreement dated 15.11.2000. The Court of learned Civil Judge (Senior Division), Rohtak vide judgment and decree dated 21.09.2005 decreed with costs the suit of the plaintiff directing the defendant to execute the

sale deed and get it registered in terms of the agreement to sell dated 15.11.2000 in respect of the property detailed therein as well as to deliver possession of the same. It is not in any manner differed by the learned counsel for the petitioners that the said judgment and decree has since then attained finality. The Judgment Debtors, during the execution application filed by the Decree Holder, filed three objections by different sets of objections on behalf of Smt.Surta Devi, Umed Singh and Aruna Devi. It is vide orders dated 24.09.2018 all these objections were consolidated in execution bearing No.239/2017/RBT20 dated 23.11.2005/28.07.2017. On the basis of the objections, the Executing Court framed issues and parties adduced their evidence and as a consequence of which through impugned order, the Court of learned Addl. Civil Judge (Senior Division), Rohtak dismissed the objections.

Mr. Balbir Singh Dhull, Advocate appearing on behalf of the petitioners could not convince this Court as to any lacuna in the impugned order how the same was perverse, illegal and unsustainable. The judgment and decree passed by the learned Addl. Civil Judge (Senior Division), Rohtak has since then admittedly attained finality and the plea that is sought to be raised of subsequent sale of the suit property is more hit by principle of *lis-pendens* purely with a view to defeat execution of

the judgment and decree by propping up objectors who are not there before the Court earlier with an oblique motive to delay and scuttle the proceedings.

Learned counsel for the petitioners could not convince this Court of any sustainable reason to admit the present revision petition, which as such being without any merit stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

February 20, 2020
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No