

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

**Execution Second Appeal No.35 of 2018 (O&M)
Date of Decision: 10.01.2020**

Bant Singh and others

.....Appellants

Versus

Surjeet Kaur and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Manish Kumar Singla, Advocate for the appellants.

Service of respondent No.1 dispensed with,
vide order dated 22.07.2019.

Ms. Neha Rana, Advocate for
Mr. R.N.Lohan, Advocate for respondent Nos.2 to 4.

Service of respondent Nos.5 to 10 dispensed with,
vide order dated 09.01.2019.

MAHABIR SINGH SINDHU, J. (ORAL)

Present appeal has been filed against the impugned order dated 25.11.2014, whereby third party objections of the appellants have been dismissed by learned Executing Court at Tohana as well as judgment dated 31.03.2018, passed by learned lower Appellate Court at Fatehabad, thereby the aforesaid order has been affirmed.

Learned Counsel for respondent Nos.2 to 4/deGREE holders has produced the certified copy of order dated 03.01.2015, passed by learned Civil Judge (Junior Division)-cum-Presiding Officer, Daily Lok Adalat, Tohana, which reads as under:-

*“File taken up today in the permanent Daily Lok
Adalat on the request of learned counsel for the decree holder.*

Learned counsel for the decree holder has suffered a statement recorded separately that since the execution in question has been fully satisfied, he does not want to pursue any further with this petition and the same be dismissed. Heard. In view of the statement suffered by learned counsel for the decree holder, this execution petition is dismissed as withdrawn being fully satisfied with no order as to costs. File after due compliance be consigned to the record room.”

Perusal of the order, extracted hereinabove, reveals that the execution petition has been dismissed after its full satisfaction.

Faced with the situation, learned Counsel for the appellants does not wish to press the present appeal as having been rendered infructuous.

Ordered accordingly.

However, it is clarified that in case the occasion so arises, the appellants would be at liberty to take recourse to the remedy available under law.

January 10, 2020

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>