

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

CR-387-2021(O&M)

Date of decision:24.02.2021

Gurdeep Singh

.....Petitioner

Versus

Harjit Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Naveen Batra, Advocate for the petitioner

ANIL KSHETARPAL, J.

The judgment debtor has filed this revision petition under Article 227 of the Constitution of India, assailing the correctness of the order passed by the learned Executing Court on 01.02.2021, confirming the sale of the property through a court auction. In this case, the decree holder has purchased the property. The court auction took place on 23.12.2019 and a report was submitted in the court on 03.01.2020. Thereafter, the case was repeatedly adjourned, however, no objections were filed by the judgment debtor. Hence, the court has ordered confirmation of the sale.

Learned counsel for the petitioner contends that the court did not grant judgment debtor an opportunity to file objections. He further contends that Regular Second Appeal against the judgment is pending in this court.

It has been noticed that since 03.01.2020, the case was being adjourned, however, no objections were filed by the petitioner.

The Executing Court is not expected to invite any party to file objections. It is the duty of the judgment debtor to file objections, if any.

As regards, the pendency of the Regular Second Appeal, the petitioner can always file an application for grant of stay.

In view of the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.

24.02.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE