

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

CR-877-2021(O&M)

Date of decision:08.04.2021

Santosh Kalra and others

.....Petitioners

Versus

Kamla Mathur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vipul Sabharwal, Advocate for the petitioners

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been filed against an interlocutory order passed by the Executing Court, while rejecting an application for permission to sell the joint family property through private negotiations. It is not in dispute that the parties had agreed before the court to divide the proceeds received on the sale of the joint family property. The petitioners claim that they have a ready buyers for House No. 218 Sector 16-A, Chandigarh, who are prepared to purchase the same for Rs.9,50,00,000/-. Learned Executing Court has directed that since other the co-owners have refused to give consent, therefore, let the property be sold through a public auction.

Learned counsel representing the petitioners apprehends that in a public auction, the property may not fetch the price being offered by the prospective buyers who have been named in the application.

Learned counsel representing the petitioners was requested

to explain as to what stops the prospective buyer to participate in the public auction? He has failed to give any satisfactory answer.

The petitioners may inform the alleged prospective buyers to participate in the public auction being held under the orders of the court.

Keeping in view the aforesaid facts, this Court does not find any ground to interfere with the order passed in exercise of its jurisdiction under Article 227 of the Constitution of India.

Hence, dismissed.

08.04.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE