

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

**CR No.2367 of 2020
Decided on : 17.03.2021**

Banwari Lal and another

... Petitioners

Versus

Poonam

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. K.B. Raheja, Advocate for the petitioner.

Mr. Yogesh Kumar Aneja, Advocate
for the respondent.

(The proceedings are being conducted through video
conferencing, as per instructions).

G.S. Sandhawalia, J. (Oral)

The petitioner in the present revision petition filed under Article 227 of the Constitution of India seeks setting aside of the impugned orders dated 28.09.2020 and 01.10.2020 (Annexures P-1 & P-2).

Counsel for the respondent has put in appearance and submits that he has no objection if the order dated 28.09.2020 is set aside and opportunity is given to the petitioner/judgment debtor to contest his objections, which were filed at the subsequent point of time on the said date when directions were issued to execute the sale deed in compliance of the judgment and decree dated 31.10.2019.

It is not disputed that the petitioner had filed an objection petition subsequently on 01.10.2020 (Annexure P-2), in which he has taken certain objections that the draft copy of the sale deed had to be filed and the same has not been done.

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In the reply filed to the objections also, the stand of the respondent is that he has no objection if the Court deems it proper to afford fresh opportunity of hearing to objector in the interest of justice.

Keeping in view the stand of the respondent, the order dated 28.09.2020 (Annexure P-1) is set aside. The Executing Court shall firstly decide the objection petition before proceeding ahead. The revision petition stands allowed, accordingly, in view of the concession given by the respondent. The interim order dated 12.10.2020 stands vacated.

MARCH 17, 2021

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No