

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

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**CR-2402-2021(O&M)
Date of decision:29.10.2021.**

RASHMI RANI

...Petitioner

Versus

KULDEEP BANSAL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Arihant Jain, Advocate
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The Judgment Debtor has filed this revision petition challenging the correctness of the order passed by the Executing Court, on 20.09.2021, while dismissing the objection petition.

The learned counsel representing the petitioner contends that since the judgment and decree passed by the trial court was modified by this court vide judgment dated 06.01.2020, therefore, the decree holder was required to file a fresh execution petition.

In the considered view of this Court, once an execution petition has been filed and the judgment and decree has been modified subsequently, the decree holder is required to comply with the same, accordingly. There is no requirement that a fresh execution petition is to be filed.

The learned counsel further submits that this is the only house which the Judgment Debtor owns and since the petitioner is prepared to

refund the amount, therefore, this court should exercise its inherent power.

Once the decree for specific performance of the agreement to sell has become final, the same has to be given effect to.

Hence, there is no substance in the argument.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

October 29, 2021
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(ANIL KSHETARPAL)
JUDGE

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