

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 473 of 2019 (O&M)

Date of Decision: 31.05.2022

Tarun Kumar and Others

... Petitioner(s)

Versus

Ram Lal (Since Deceased) through his legal heirs and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Amit Jain, Senior Advocate
with Mr. Dhruv Mittal, Advocate
for the petitioner(s).

Mr. Pritam Singh Saini, Advocate
for the respondents.

Anil Kshetarpal, J.

1. A decree and judgment for possession, passed in favour of the respondents, is awaiting execution since last 29 years. The petitioners are the judgment debtors. They claim that the decree has been passed without appointing a Court guardian. It is not in dispute that the petitioners were represented by their father, who himself is a practicing lawyer, before the trial Court. Furthermore, the petitioners became major during the pendency of the First Appeal.

2. Merely because the second appeal is pending, wherein no interim protection has been granted, the decree passed by the trial Court 29 years back cannot be kept in abeyance. The argument of the learned counsel that the petitioners were not properly represented, can be examined by the

Court in of Appeal, while hearing the matter.

3. Keeping in view the aforesaid facts, the present revision petition is disposed of.

4. The miscellaneous application(s) pending, if any shall also stand disposed of.

(Anil Kshetarpal)
Judge

May 31, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No