

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3595-2015(O&M)
Date of decision: 22.08.2022

Gurmail Singh (deceased) through his LR ..Petitioner

Versus

Mohan Singh ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S.Punia, Sr. Advocate, with
Ms. Harveen Kaur, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner herein claims to be the legal representative of the Judgment Debtor. The judgment debtor, namely, Sh. Gurmail Singh has died. He has left behind certain immovable property. The objection filed by the petitioner to stay the proceedings in the execution petition till the dispute with regard to inheritance of the property is decided, has been dismissed.

This Bench has heard the learned senior counsel representing the petitioner at length and with his able assistance perused the paper book.

He contends that the execution proceedings cannot proceed unless the dispute regarding inheritance of property of late Sh. Gurmail Singh are finally decided.

As per Section 50 of the Code of Civil Procedure, 1908, the property left behind by the judgment debtor can be utilized for satisfying the decree. Any dispute with regard to inheritance between various other legal heirs would not impact the execution of the decree as long as the judgment debtor has left behind the property.

In view thereof, no ground to interfere is made out.

Dismissed.

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

August 22, 2022

(ANIL KSHETARPAL)
JUDGE

nt

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>