

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

105

**CR-4469 of 2017(O&M)
Date of Order: 10.05.2022**

Babbi Singh

..Petitioner

Versus

Gurcharan Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.K.Singla, Advocate, for the petitioner.
Mr. Mayank Mathur, Advocate, for the respondent(s)

ANIL KSHETARPAL, J(Oral)

Admittedly, while filing the suit for specific performance of the agreement to sell, the decree holder did not pray for relief of possession. The suit was decreed on 08.11.2002, but no decree for possession was passed. The petitioner was a third party (co-sharer) at that point of time.

The learned counsel representing the respondents submits that he should be deemed to have been delivered symbolic possession. He submits that he does not wish to seek actual physical possession in his execution petition. He will have his remedy in accordance with law.

The learned counsel representing the petitioner has no objection.

In view thereof, the revision petition is disposed of.

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

May 10, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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