

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

108

CR-6125-2018

Date of decision: 02.12.2022

RAI SINGH

..Petitioner

Versus

SARDOOL SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashok Verma, Advocate
for the petitioner.

Mr. Ajay Jain, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is a decree holder. His execution petition has been dismissed though his first appeal against an order allowing the objections filed by the nephew of the judgment debtor, is pending. The judgment debtor has transferred the property in favour of his nephew by a transfer deed. It's validity is yet to be examined by the First Appellate Court. Hence, the Executing Court was not correct in dismissing the execution petition.

Consequently, the order dated 30.07.2018 is set aside.

The execution petition is restored to its original number.

The parties through their counsel are directed to appear before the Executing Court on 10.01.2023.

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

December 02nd, 2022

**(ANIL KSHETARPAL)
JUDGE**

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