

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

CR-7309-2018 (O&M)

Date of decision: 25.07.2022

Narinder Pal Singh

...Petitioner

Versus

Davinder Pal Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K.Rana, Advocate for
 Mr. S.S.Siao, Advocate for the petitioner
 Mr. Ashish Gupta, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

An execution petition filed to execute the preliminary decree for partition, has been dismissed, particularly, when it has been found that there is no final decree.

Learned counsel representing the petitioner submits that the court can straightway pass a final decree, if the facts and circumstances of the case permit.

There is no doubt about the same. However, in the present case only a preliminary decree has been passed. The petitioner can file an execution petition, after passing of the final decree. Hence, no ground to interfere is made out.

Dismissed.

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

25.07.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE