

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Revision No. 7534 of 2017

State Bank of Paitala now State Bank of India, Branch Johal, Tehsil and
District Hoshiarpur

... Petitioner(s)

Versus

Sh.Sangat Singh (Deceased) through his Legal Representatives

... Respondent(s)

2. Civil Revision No. 7654 of 2017

State Bank of Paitala now State Bank of India, Branch Johal, Tehsil and
District Hoshiarpur

... Petitioner(s)

Versus

Sh. Jagtar Singh

... Respondent(s)

AND

3. Civil Revision No. 7486 of 2017 O&M)

State Bank of Paitala now State Bank of India, Branch Johal, Tehsil and
District Hoshiarpur

... Petitioner(s)

Versus

Sh.Avtar Singh (Deceased) through his Legal Representatives

... Respondent(s)

DATE OF DECISION: 27.10.2022

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Ms. Kavita Arora, Advocate
for the petitioner(s).

Ms. Satpreet Grewal Kapila, Advocate
for the respondent No.1 (In CR-7654-2017).

Anil Kshetarpal, J.

1. Despite the service of notice, the respondents have not entered appearance. From the perusal of the paper book, it is evident that inspite of the repeated attempts, the property of the judgment debtors could not be sold as nobody including the decree holder, despite permission of the Court to purchase the property, came forward to purchase it. Three separate decrees for the recovery of certain amounts were passed.

2. The learned counsel representing the petitioner contends that at the relevant time, the State Bank of Patiala was in the process of being merged with the State Bank of India, therefore, the decision could not be taken. She submits that if the Executing Court grants an opportunity, the petitioner (State Bank of India) is prepared to purchase the property.

3. A decree passed by the Court is required to be implemented. The Court must make sincere endeavours for satisfying the decree. If the petitioner is permitted to file a fresh execution petition, the same may be barred by limitation. In such circumstances, the order under challenge is set aside. Let the Executing Court proceed with the matter and grant another opportunity to the decree holder to purchase the property. Thereafter, the Executing Court shall proceed with the matter in accordance with law.

4. At this stage, Ms. Satpreet Grewal Kapila, Advocate, has

entered appearance for the respondent (in Civil Revision No. 7654 of 2017) and submits that the judgment debtors have already settled the dispute with the bank. However, the learned counsel representing the petitioner submits that she has no such intimation.

5. Keeping in view the aforesaid facts, all the three revision petitions are disposed of. If the judgment debtors have already settled the matter with the bank, the revision petition shall be deemed to have been dismissed as being infructuous. However, if there is no settlement, the order setting aside the impugned order shall stand.

6. The miscellaneous application(s) pending, if any, in all the three revision petitions, shall stand disposed of.

**(Anil Kshetarpal)
Judge**

October 27, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No