

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CR No.534 of 2022
DATE OF DECISION : 17th FEBRUARY, 2022

Manjit Singh and another

.... **Petitioners**

Versus

Raj Kumar & others

.... **Respondents**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Anuj Garg, Advocate for the petitioners.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Article 227 of the Constitution of India for setting aside order dated 10.01.2022 along with short *zimini* order of even date passed by Civil Judge (Senior Division), SAS Nagar (Mohali) in EXE-11-2019, on the ground that when the sole judgment debtor had himself given his undertaken that he is ready to sign the requisite documents for transfer of his share in the suit property then whole execution proceedings ends there and then and must be dismissed as infructuous being fully satisfied; along with certain other prayers.

The counsel for the petitioners submits that the petitioners do not have any objection against the impugned orders, except that the petitioners have not been permitted to sign the documents which are required to be signed by them as per law and even as per the order of the court. The counsel for the petitioners further submits that the petitioners

are ready to sign whatever documents are necessary to be signed by them.

In view of the above, the present petition is disposed of by upholding the orders passed by the executing court, but with a further direction to the court below that if any documents, which have been ordered to be prepared by the court, requires signatures of the petitioners as per the law and as per the judgment and decree under execution, then the court shall provide opportunity to the petitioners to sign the said document before getting the transfer of possession of the property done. However, this order shall not be taken as creating any fresh rights in favour of the petitioners to raise any fresh objection of any kind. If the signatures of the petitioners are not required under the judgment and decree under execution or under any other law, or the petitioners avoids putting signatures despite being granted opportunity, then the court shall proceed further qua execution as per its own order, which has been upheld herein above.

17th FEBRUARY, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

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