

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

108

**CR-1371-2019 (O&M)
Date of decision: 06.07.2022**

Taj Mohd.

...Petitioner

Versus

Rahisan and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Tushar Gautam, Advocate,
for the petitioner.**

**Mr. Ashok Kumar Jindal, Advocate,
for respondent no.1.**

ANIL KSHETARPAL, J (Oral)

There is a joint decree against defendant no.1 and 2. The plaintiff has been held entitled to recover the amount of sale consideration of Rs.3,00,000/- along with expenses including stamp duty registration charges etc. in respect of sale transactions along with interest @ 8% per annum with effect from 04.07.2006 till its realization.

Judgement Debtor No.2 claims that he is liable to pay only the proportionate amount. Once the decree is joint and several, the amount can be recovered from one or both the parties. The Judgment Debtor No.2 cannot claim that he will only pay part thereof.

The second objection is with regard to cancellation of the sale deed. The Court has already declared the same to be illegal. There is no provision for getting the sale deed cancelled. It can only be declared illegal by the Court which has already been ordered.

Keeping in view the aforesaid facts, no ground to interfere with the impugned order is made out.

Dismissed.

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

July 06, 2022
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(ANIL KSHETARPAL)
JUDGE

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