

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

112

**CR-5846 of 2019(O&M)
Date of Order: 01.04.2022**

Raj Kumar

..Petitioner

Versus

**Maninder Pal Singh (since deceased) through his Lrs
and another**

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anil Chawla, Advocate
for the petitioner.

Mr. R.K.Chaudhary, Advocate, for
Mr. Deepak Nayar, Advocate
for respondent no.2.

ANIL KSHETARPAL, J(Oral)

The petitioner is a decree holder. A suit for grant of decree of possession of the property along with recovery of mesne profit was decreed on 17.08.2012, while directing the defendant to hand over physical possession of the suit property. The aforesaid judgment and decree was passed ex-parte. In execution petition, the Executing Court considered it appropriate to frame issue "as to whether the decree is executable or not?"

Keeping in view the aforesaid facts, the Executing Court refused to issue direction to the Judgment Debtor, to deposit mesne profit without deciding the issue. Such order is merely an interlocutory order passed in the facts of the case. The execution petition is stated to be pending.

Keeping in view the aforesaid facts, the revision petition is disposed of while requesting the Executing Court to conclude the hearing in the execution petition, positively, within a period of 6 months and decide

finally.

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

April 01, 2022

(ANIL KSHETARPAL)
JUDGE

nt

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