

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3438 of 2021

Date of Decision: 24.02.2022

Gulzar Singh and Others

... Petitioner(s)

Versus

Sukhwinder Kaur and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Surjit Singh Swaich, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioners are the decree holders in the judgment passed by the Lok Adalat on the basis of settlement. In a third party objection petition, filed under Order XXI Rules 99 and 101 CPC, the Executing Court has framed the following issues:-

- “1. Whether Malkit Singh was given any land as per various agreements relied upon by the applicant? OPO
2. Whether the house in question was built by Mukhtiar Singh or Malkit Singh himself? OPDH
3. Whether the cost of payment of house was paid to Malkit Singh as alleged by the DH? OPDH”

2. The learned counsel representing the petitioners contends that the petitioners have waited for a period of more than ten years to enter into possession. He submits that the sale deed, in favour of the petitioners, has already been executed.

3. The Executing Court, after going through the facts of the case, found that the objections, filed by the objector, cannot be thrown out without permitting the parties to lead evidence. Hence, Court has framed the issues.

4. After having heard the learned counsel for the petitioners, at some length, this Court is of the view that the revision petition is required to be disposed of while requesting the Executing Court to make sincere efforts for expeditious disposal of the execution petition.

(Anil Kshetarpal)
Judge

February 24, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No