

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

132

1. CR-3400-2021(O&M)

Date of decision: 17.08.2022

BHAGWAN DASS (SINCE DECEASED) THROUGH LRS

..Petitioner

Versus

**M/S JETHU RAM PREM CHAND THROUGH ITS PARTNER PREM
CHAND SINGLA (DECEASED) THROUGH LRS. AND ORS**

..Respondents

2. CR-3402-2021(O&M)

BHAGWAN DASS (SINCE DECEASED) THROUGH LRS

..Petitioner

Versus

**M/S JETHU RAM PREM CHAND THROUGH ITS PARTNER PREM
CHAND SINGLA (DECEASED) THROUGH LRS. AND ORS AND
ORS**

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Puneet Gupta, Advocate
for the petitioner.

Mr. Harsh Aggarwal, Advocate
for legal representatives of respondent No.1.

ANIL KSHETARPAL, J(Oral)

The Executing Court has disposed of the execution petition while permitting the decree holder to file separate application in order to execute the decree.

The learned counsel representing the petitioner submits that in view of the order passed by the Executing Court on 24.12.2021, the revision petitions are rendered infructuous.

The order dated 24.12.2021 is extracted as under:-

*“The original file of execution No.2326-2013 titled as
Bhagwan Dass Vs. M/s Jethu Ram Prem Chand is
received. Vide order dated 25.10.2021, the execution*

application was disposed of. The legal heirs of Bhagwan Dass Decree Holder have filed present application for restoring the execution petitioner. Photostat Copy of certified copy of order dated 20.12.2021 of Hon'ble High Court passed in CR-3400-2021 and CR-3402-2021 is attached with this application vide which Hon'ble High Court has ordered that amount deposited by Auction Purchaser be paid to the petitioner and the executing court has been directed to continue with the execution proceedings for satisfaction of the remaining portion of the decree. In view of this order, the amount deposited by Auction Purchaser is ordered to be released to legal heirs of Decree Holder under rules.

The details of remaining due amount in terms of decree be furnished by 3.1.2022 and thereafter warrant of attachment of property of J.D be issued for 21.1.2022. List of property of J.D be furnished by 7.1.2022."

The learned counsel representing the respondent could not rebut the aforesaid position.

In view of the aforesaid, both the revision petitions are disposed of as infructuous.

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

August 17th, 2022

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(ANIL KSHETARPAL)
JUDGE

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