

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

CR-6586-2019 (O&M)

Date of Decision: August 26, 2022

Ran Singh

...Petitioner

VERSUS

Dharambir (Deceased) through his LRs

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Babber Bhan, Advocate for
Mr.Naveen S. Bhardwaj, Advocate
for the petitioner.

Mr.Sushil Sheoran, Advocate
for the respondent.

ARCHANA PURI, J.

CM-13555-CII-2021

Present application has been filed for preponement of the date of hearing of the main petition, which was stated to be fixed for 17.03.2022.

The date fixed in the main petition has already passed by. In view of the same, the instant application has become infructuous.

Accordingly, the same is dismissed, as having become infructuous.

CR-6586-2019

Challenge in the present revision petition is to the orders dated 01.10.2019 (Annexure P-7) and 06.08.2019 (Annexure P-6) passed by learned Civil Judge (Jr. Divn.), whereby, learned Executing Court had

impleaded the LRs of Dharambir-decree holder, in the pending execution.

It is now submitted by learned counsel for the petitioner that Satpal, Ajaad, Santosh and Koshalya, sons and daughters of Sultan Singh have been impleaded as LRs of deceased Dharambir. It is submitted by learned counsel for the petitioner that nowhere, in the application, it has been said about the relationship of the aforesaid persons with deceased Dharambir. As such, they could not be impleaded as LRs of deceased Dharambir.

However, learned counsel for the respondent has drawn the attention of this Court to Annexure P-4, which is translated copy of an application for impleading aforesaid persons as LRs of decree holder-Dharambir, since deceased. Perusal of this application, specifically reveals about the aforesaid persons, who have been impleaded as LRs, to have been mentioned to be siblings of the deceased. Even, in the vernacular of application (Annexure P-4), there is specific mention about the aforesaid persons to be brothers and sisters of Dharambir deceased. It was also specifically mentioned in the application that wife of deceased Dharambir has pre-deceased him and he was not having any child.

In view of the same, brothers and sisters have been rightly impleaded as LRs of deceased Dharambir, to pursue the execution petition. As such, no fault can be found in the order dated 06.08.2019 passed by the Executing Court.

Likewise, order dated 01.10.2019 has also been impugned as it has been passed consequential to the impleadment of Satpal, Ajaad, Santosh and Koshalya as the LRs of deceased Dharambir. However, as already

stated aforesaid, that said persons i.e. brothers and sisters of deceased

Dharambir have been rightly impleaded as LR's and consequent to the same, order dated 01.10.2019 has been passed for the satisfaction of the decree, in the pending execution and thus, the Reader of the Court has been appointed as Local Commissioner, to facilitate the execution of the sale deed. There is also not fault found in the order dated 01.10.2019.

Consequently, the present revision stands dismissed.

August 26, 2022
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No