

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

106

CR-2132-2017

Date of decision: 21.07.2022

PARGAN SINGH

..Petitioner

Versus

NIRVAIL SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Gautam, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The judgment debtor calls into question the correctness of order passed by both the Courts below.

A decree for specific performance of the agreement to sell dated 10.02.2010, has become final against the petitioner. He objected to the execution of the decree on the ground that the decree holder cannot purchase the land being a Non-Resident Indian. It is further contended that the property is under a charge on account of a decree of maintenance.

The Executing Court has examined both the issues and found that the decree of maintenance is collusive between the husband and wife. As regards the objection with regard to the entitlement of the decree holder to purchase the land, it may be noted that this objection shall never taken before the Court when the suit was contested.

Hence, no ground to interfere is made out.

Dismissed.

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

July 21st, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No