

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

116

2023:PHHC:143259

CR-6550-2017(O&M)

Date of decision: 09.11.2023

**DARSHAN SINGH (DECEASED) THROUGH
LRS AND ANR**

..Petitioner

Versus

SATWINDER SINGH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.S. Sirphikhi, Advocate for the petitioner.

Mr. Gobind Rai Sharma, Advocate for respondent No.5.

ANIL KSHETARPAL, J(Oral)

1. A decree for permanent injunction restraining respondents No.1 to 3 from interfering in the possession of the plaintiffs was passed on 29.03.2001. The decree holder filed an execution petition under Order XXI Rule 32 of the Code of Civil Procedure, 1908, complaining that they have been forcibly dispossessed after the decree was passed. The Executing Court has dismissed the execution petition on the ground that AW-1 Sh. Sukhdev Singh himself admitted that respondent No.4 and 5 are in possession of the disputed property, who were not parties to the suit. It has also come on record that respondent No.4 and 5 are the transferees from the decree holder Sh. Hansa Singh vide agreement dated 14.10.2007.

2. Keeping in view the aforesaid facts, no ground to interfere is made out.

3. Dismissed accordingly.

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

November 09th, 2023

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No