

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

**ESA-2435-2003 (O&M)**

**Date of Decision : 09.02.2023**

Rajinder Singh

....Appellant

VERSUS

Kusum Lata & Others

....Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Abhimanyu Kalsy, Advocate for the appellant.

Mr. Amarjit Markan, Advocate for the respondents.

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**ALKA SARIN, J. (Oral)**

The present appeal has been preferred against the judgments passed by the Courts below vide which the third party objections have been allowed.

Learned counsel appearing on behalf of the respondents, at the outset, states that the decree in the present case was for an amount of Rs.1,55,654.75 paisa in a suit for recovery of Rs.62285/- with costs and interests. Learned counsel has further pointed out that during the pendency of the execution petition on 23.12.1997, the property was attached and was ordered to be put on sale on 22.05.1998. The respondent-objector appeared and filed an application for calling off the sale warrants and they deposited the entire decretal amount which still stands deposited before the Executing Court and that the appellants would always be at liberty to withdraw the said amount.

Faced with the same, learned counsel for the appellant states that he will be satisfied if the amount deposited by the third party is released to him.

In view of the above and the statements made by the learned counsel, the parties are directed to appear before the Executing Court on 28.02.2023 to make their statements and for the Executing Court to accordingly proceed further in accordance with law.

The appeal stands disposed off in the above terms. Pending applications, if any, also stand disposed off.

**February 09, 2023**  
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**(ALKA SARIN)**  
**JUDGE**

NOTE : Whether speaking/non-speaking : Speaking  
Whether reportable : YES/NO