

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 1143 of 2019****Date of Decision: 15.09.2023**

Jaswant Singh

... Petitioner(s)

Versus

Boota Singh alias Gurpreet Singh and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Vivek K. Thakur, Advocate
for the petitioner(s).Mr. Vikram Anand and Mr. Harmeet Singh, Advocates
for the respondent No.1.**Anil Kshetarpal, J.**

1. Through this revision petition, the petitioner assails the correctness of the order passed by the Executing Court while setting aside the *ex parte* order dated 10.08.2016 which was passed during the execution petition.

2. The learned counsel representing the petitioner contends that the petitioner is aggrieved of the last line of the impugned order dated 05.12.2018, which reads as under:-

“Let, warrants of possession be issued for 4.1.2019.”

3. The learned counsel submits that prayer in the suit was only for the grant of decree of joint possession of the land, therefore, no decree for actual delivery of possession could be issued.

4. This Court has considered the submissions. In fact, from the

reading of the impugned order dated 05.12.2018, it is evident that the last

Civil Revision No. 1143 of 2019

line, as extracted above, is not connected with the substance of the main order. The Court on 05.12.2018 has considered the petitioner's request for setting aside the *ex parte* order, but dismissed the same.

5. Keeping in view the aforesaid facts, the present revision petition is disposed of with the liberty to the petitioner to file an application before the Executing Court in this regard, which shall be decided within a period of one month from the date of receipt of a certified copy of this order.

(Anil Kshetarpal)
Judge

September 15, 2023

"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No