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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 2014 of 2023 (O&M)

Date of decision : 29.3.2023

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Raj Kanwar since deceased through his LRs

.....Petitioner

vs.

Sandeep and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Ragav Goel, Advocate for the petitioner.

...

H. S. Madaan, J.

Briefly stated, facts of the case are that, during the execution proceedings, the decree holder had submitted draft of the sale deed to which the Judgment Debtor 1(B) – Jai Kanwar objected contending that decree holder has deposited the remaining sale deed consideration after 4 years from the date of filing of the execution petition; therefore, the sale deed cannot be executed and further name of the vendee has not been reflected properly in the draft sale deed.

The Executing Court, while dealing with the first objection has observed that there is no mention of specific time during which the decree holder was required to deposit the balance sale consideration in the court, therefore, the decree holder depositing the sale consideration in the year 2022, cannot be taken adversely against

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him and he cannot be debarred from reaping fruit of the decree passed in his favour.

The other objection raised by the judgment debtor with regard to name of the vendee, was found to have some merit and therefore, the decree holder had been asked to make necessary correction in the proposed sale deed. Therefore, the objection so filed by the objector Judgment Debtor 1(B) – Jai Kanwar , was disposed of.

Feeling aggrieved, such objector Judgment Debtor 1(B) had approached this Court, by way of filing the present revision petition.

I have heard learned counsel for the revision petitioner – defendant, besides going through the record and I find that there is absolutely no merit in the revision petition and it appears that he wants to prolong the proceedings in one way or the other.

Accordingly, the revision petition stands dismissed and the trial Court is directed to ensure that the execution proceedings are concluded expeditiously and vague and frivolous objections, if raised by the objector, be dealt with and disposed of promptly, in a summary manner.

29.3.2023
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No