

2023:PHHC:101821

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

138

CR-1319-2022 (O&M)
Date of Order: 07.08.2023

RAMAVTAR DECEASED THROUGH HIS LRS

.Petitioners

Versus

RAMNIWAS

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sushil Sheoran, Advocate, for the petitioner.
Mr. Balkar Singh, Advocate, for the respondent.

ANIL KSHETARPAL, J

1. An application filed under Order 9 Rule 13 CPC to set aside the ex-parte judgment and decree passed on 24.08.2016 is pending before the trial court. The petitioner's application for stay of operation of the ex-parte judgment has been dismissed by the trial court. This revision petition has been filed to assail its correctness.
2. As per the ex-parte judgment and decree, the plaintiff has been granted declaration that he is owner in possession of 3 kanals land.
3. The learned counsel representing the petitioner submits that on the basis of the ex-parte judgment, the plaintiff will get the property transferred in the revenue record in his favour and would further alienate the property.
4. This court has considered the submissions of the learned counsel representing the petitioner.
5. The entry in the revenue record is required to be made as per the judgment of the court. If the judgement and the decree is set aside, the entry would accordingly be corrected.

6.

As regard the apprehension of the petitioner that the respondent will alienate the property, the rule of lis pendens applies.
7.

Keeping in view the aforesaid facts, no ground to interfere is made out.
8.

Dismissed.
9.

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

August 07, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Whether reportable

:YES/NO

:YES/NO