

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CR-3766-2023 (O&M)

Date of Order: 06.07.2023

DULLI CHAND AND ANR

Petitioners

Versus

NIAZ MOHD. AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Kumar Sharma, Advocate, for the petitioners.

ANIL KSHETARPAL, J

1. The learned counsel representing the petitioner admits that the objectors had purchased the property through registered sale deeds from co-decree holders who were co-owners. The objection filed by the purchasers, who have already constructed as many as 23 houses, has been allowed while permitting the petitioners to avail alternative remedy. The only decree in favour of the petitioners is of an injunction to restrain the defendants in the suit from interfering in possession. Once co-owners are in possession, who have constructed the houses, then the remedy of the petitioners is either to seek possession by way of partition or any other remedy. Hence, the Executing Court has correctly held that in execution of a decree for granting an injunction, no relief can be granted to the petitioners.

2. With these observations, the revision petition is disposed of.

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

July 06, 2023

nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

:YES/NO

Whether reportable

:YES/NO