

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

CWP-14657-2023

Date of Decision: 13.07.2023

Lachman Singh @ Lashman Singh and others Petitioners

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vishal Sharma (Vasudeva), Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Petitioners have approached this Court praying for quashing of the order 23.06.2023 passed by respondent No.4-Deputy Commissioner-cum-District Magistrate, Hoshiarpur and the subsequent order dated 03.07.2023 passed by respondent No.5.

It has been submitted by learned counsel for the petitioners that though the petitioners are the judgment debtors, however, execution proceedings are pending and the petitioners have already filed their objections before the Executing Court. He submits that the learned Executing Court is yet to appreciate the objections filed by the petitioners but despite that the impugned order dated 23.06.2023 for taking possession of the property has been passed by the learned Deputy Commissioner. He submits that during the pendency of the execution proceedings, action taken by the Deputy Commissioner by way of passing the impugned order is totally unsustainable in the eyes of law.

Notice of motion.

Mr. Charanpreet Singh, AAG, Punjab, accepts notice on behalf of respondent No.1 to 6.

After hearing learned counsel for the parties and perusing the record, the present petition is disposed of with liberty to the petitioners to file their representation before respondent No.4-Deputy Commissioner raising all their grievances within seven days from today. If the petitioners file their representation, the same would be dealt with by respondent No.4 and decided expeditiously in accordance with law.

13.07.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No