

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

Sr. No.130

CR-4878-2023

Date of Decision: 25.08.2023

CHANDER BHAN AND OTHERS

....Petitioners

Versus

RANJHA RAM THROUGH LRS AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Ajay Jain, Advocate,
for the petitioners.

ARCHANA PURI, J. (Oral)

Challenge in the present revision petition is to the order dated 07.07.2022 passed by learned Lower Court, whereby an application filed by the petitioners/decreed-holders for granting permission to get the sale deed registered in the name of female members of the family, has been dismissed.

For compliance of the judgment and decree passed in the Civil Suit titled '*Chander Bhan and others Vs. Ranjha Ram (since deceased) through LRs and another*', which was decided on 07.11.2015, the petitioners/decreed-holders

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had filed an execution. The aforesaid suit was decreed in favour of the petitioners, on the basis of the agreement to sell dated 08.03.2008. Copy of the judgment is placed on record as Annexure P-1. Even, an appeal was filed to challenge the aforesaid judgment, which was dismissed vide judgment dated 31.10.2019, copy whereof is Annexure P-2 and the said judgment has since attained finality.

During the pendency of the execution for the sale deed, on the basis of the aforesaid judgments, an application was filed at the instance of the petitioners/decreed-holders for seeking permission to register the sale deed in favour of the female family members and copy of the said application is Annexure P-3. The said application was dismissed vide the impugned order, which is at page No.10 of the paperbook.

However, there is notification at the behest of the Haryana Government, which gives the benefit of affixation of stamp duty to the females and to avail the said benefit of stamp duty, the application in question had been filed by the petitioners/decreed-holders, on the basis of the aforesaid judgment in their favour. Even, various other sale deeds have already been executed, the detail whereof is in paragraph No.2 of the application.

Considering the aforesaid circumstances and in view of the notification issued by the Haryana Government, the instant revision petition is hereby accepted and the impugned order is set aside. The petitioner has the option to get the sale deed executed in the names of female members of the family, more particularly, on account of the recital contained in the agreement to

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sell to get the sale deed executed in their favour i.e. decree-holders or in favour of any other family member.

In view of the aforesaid observations, the Executing Court shall proceed further with the matter.

Accordingly, the instant revision petition stands disposed of.

25.08.2023
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes/No