

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

155

2023:PHHC:136035

**ESA-55-2023 (O&M)
Date of decision: 18.10.2023**

KAMALDEEP SINGH

..Appellant

Versus

**GULAB CHAND (DECEASED) THROUGH
LR AND ORS**

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Raghav Dayal Gupta, Advocate
for the appellant.

Mr. Ranjit Saini, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

1. This is an execution second appeal filed by the third party objector. His objection petition has been dismissed by the Executing Court, which in appeal has been affirmed by the First Appellate Court. The respondent herein has been granted a decree for possession by way of specific performance of the agreement to sell passed on 26.04.2011, which in appeal was affirmed by the First Appellate Court. The aforesaid decree has now become final. Pursuant to the decree, the sale deed has been executed in favour of the decree holder. The petitioner claims that he is in the settled possession of the property.

2. He only relies upon the assessment register of the Municipal Committee to prove that in the year 2010, there was an entry made in his favour. No document to prove his possession before the date of institution of the suit i.e. 06.03.2004, has been produced.

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

- 4. Dismissed accordingly.
- 5. All the pending miscellaneous applications, if any, are also disposed of.

October 18th, 2023
Ay

(ANIL KSHETARPAL)
JUDGE

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