

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

ESA No.50 of 2023 (O&M)

Date of Order:21.09.2023

Ifzal and another**.Appellants****Versus****Zamil Ahmad and another****..Respondents****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

**Present: Mr. Akshit Aggarwal, Advocate
for the appellants.**

ANIL KSHETARPAL, J

1. This is the Execution Second Appeal. The petitioner here is a third party objector. A decree for specific performance of the agreement to sell was passed in favour of Nissar Hassan on 24.10.2017, which in the first appeal as well as in the second appeal has been upheld. The suit was filed with regard to the agreement to sell dated 23.10.2008.

2. The execution petition filed by the decree holder is pending. The petitioner filed the objection petition claiming that he is in possession of the property which is located in the abadi area of the village. The Executing Court as well as the First Appellate Court have concurrently found that there is no substance in the objection petition. It has also been held that the petitioner is blowing hot and cold in the same breath and he has failed to substantiate any independent right in the property.

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

4. Dismissed.

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

September 21, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO