

CM-20042-CII-2023 AND CM-20043-CII-2023
IN/AND CR-1309-2018

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

Sr. No.116

**CM-20042-CII-2023 AND
CM-20043-CII-2023
IN/AND CR-1309-2018
Date of Decision: 02.11.2023**

KARAMJIT SINGH

....Petitioner

Versus

SATYA KAUR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS JUSTICE ARCHANA PURI

Present:- Mr. Manish Verma, Advocate
for the applicant-petitioner.

ARCHANA PURI, J. (Oral)

CM-20043-CII-2023

The present application has been filed for placing on record the affidavit dated 29.09.2023 of Ekam Singh as Annexure P-8

In view of the averments made in the application, same is allowed and the requisite affidavit is taken on record.

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The present application has been filed for preponement of the main petition i.e. CR-1309-2018, which stands compromised, in view of the compromise dated 06.04.2023. The main case is stated to be fixed for 25.01.2024.

In view of the averments made in the application, same is allowed and the main petition is taken up for hearing today itself.

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Main case

The compromise is stated to have been effected between the parties, copy whereof has been placed on record as Annexure P-6. Perusal of the same reveals about the compromise have been effected with the respondents for an amount of Rs.6,00,000/-, as full and final settlement. The said amount has since been paid to the respondents.

The present revision petition has been filed to challenge the order dated 15.11.2017, passed by the Court below, whereby objection petition filed by the present petitioner, namely, Karamjit Singh, was dismissed and in pursuance of the dismissal of the application, the attachment of the house in the execution proceedings continued to be there.

However, it has been brought to the notice of the Court that vide order dated 09.03.2021, copy whereof is Annexure P-7, on the basis of the factual position, as detailed in the second paragraph of the said order, the sale of the Innova Car was effected and even sale certificate was ordered to be issued in favour of the auctioneer purchaser and thereafter, execution was consigned to record room with liberty to decree holder to apply for revival of execution application or to file fresh execution application after decision in CR-1309-2018 i.e. the present revision petition.

Such being the fact situation and in view of the arrival of the compromise, the instant revision petition is hereby dismissed as withdrawn, being compromised.

However, in pursuance of arrival of compromise between the parties and in view of the contents of the order dated 09.03.2021, learned Executing Court shall revive the execution petition, which was consigned to

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record room vide order dated 09.03.2021 and proceed further in accordance with law and pass an appropriate order with regard to release from attachment of the immovable property of the present petitioner.

02.11.2023
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No