

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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C.R. No.7176 of 2023 (O&M)

Date of Order:30.11.2023

V.P.Sharma (since deceased) through LR

.Petitioner

Versus

Veena and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Jaiswal, Advocate
for the petitioner.

ANIL KSHETARPAL, J

1. In a summary suit filed under Order 37 Rule 3 CPC, the court while granting leave to defend to the defendants has directed the defendant to furnish security in the form of immovable property owned by her or someone else with an indemnity bond while undertaking to honour the decree, if any, passed against her.

2. The trial court has directed the defendant to produce the allotment letter of site no.3639, Sector 25, Chandigarh, which has been allotted to the defendant along with her husband on the licence basis by the Chandigarh Administration. The correctness of the aforesaid order has been challenged in this revision petition.

3. The learned counsel representing the petitioner submits that the aforesaid property is not owned by the defendant and therefore the court has wrongly accepted the same as security.

4. This court has considered the submissions of the learned counsel representing the petitioner.

5. The learned trial court has found that the defendant can transfer

the property. The Estate Office, the allotment authority, cannot take back the possession of the property except in case of the violation of the rules.

6. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.
7. Dismissed, accordingly.
8. All the pending miscellaneous applications, if any, are also disposed of.

November 30, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Whether reportable

:YES/NO

:YES/NO