

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR-1076-2024 (O&M)
Date of Decision.:15.07.2024

Rajesh Kumar	Petitioner
Vs.	
Devi Dayal and Others	Respondents

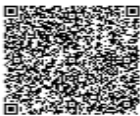
CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Vazir Singh Mor, Advocate and
Mr. Virat Amarnath Garg, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

During the execution proceedings filed by decree-holder Devi Dayal (respondent No.1 herein) against judgment-debtor Nuchem Limited (respondent No.2 herein), 276 Kanal 16 Marla of land of the judgment-debtor company was attached.

2. Learned senior counsel contends that out of this land, petitioner purchased 08 Kanal of land as auction purchaser. However, on the objections filed by objector Punjab National Bank (respondent No.3), the auction proceedings have been set aside by way of the impugned order dated 04.10.2023.
3. Assailing the aforesaid order, learned sr. counsel contends that respondent No.3- Punjab National Bank did not file any objections against



the auction conducted in respect of other property of judgment-debtor and chose to challenge the auction only in favour of the petitioner.

4. However on specific query put by this Court, it is conceded by learned senior counsel that the entire property i.e. 276 Kanal 16 Marla of the judgment-debtor was the secured asset of the objector- respondent No.3 prior to the passing of the decree in favour of the decree-holder. It is also conceded by learned senior counsel that sale in favour of the petitioner- auction purchaser has not been confirmed till date. Apart from this, the amount as deposited by the petitioner- auction purchaser has been directed by the trial Court to be returned to him.

5. In the aforesaid facts and circumstances, this Court does not find any illegality in the impugned order.

Dismissed.

(DEEPAK GUPTA)
JUDGE

July 15, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No