

2024:PHHC:056899

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

CR-621-2019 (O&M)
Date of decision: 25.04.2024

Rajinder Kaur and others

...Petitioners

Versus

Jagjit Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Pranav Handa, Advocate for the petitioners
Mr. Vijay Kumar, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

1. A subsequent vendee, while opposing the implementation of the decree passed for possession by way of the specific performance of the agreement to sell, filed objections to the implementation of the decree, which were dismissed by the Executing Court. The correctness of the order passed by the Executing Court is challenged in this revision petition.

2. Learned counsel representing the petitioners submits that the petitioner was never a party to the decree which was passed on 02.03.2010, and therefore, his objection petition was required to be decided like a suit for culling out the issues.

3. This Court has considered the submissions made by the learned counsel representing the parties.

4. The decree-holder filed a suit for specific performance of the agreement to sell dated 01.07.2003. The petitioner purchased the property on 03.08.2006. He has stepped into the shoes of the judgment

debtor. Hence, he is not a third party objector. He is representing the interest of the judgment debtor.

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

6. Hence, dismissed.

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

25.04.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE