

CR No.2441 of 2024

2024:PHHC:058136

IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CR No.2441 of 2024

Date of decision:29.04.2024

Amrinder Singh

....Petitioner

Vs.

Harjitinder Singh and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr.Sandeep Sharma, Advocate for the petitioner.

GURBIR SINGH, J.

1. Present petition has been filed for setting aside order dated 08.04.2024 (Annexure P-10) whereby warrant of possession has been issued by the Court of Addl. Civil Judge (JD), Chandigarh in Execution Application No.549 of 2023 titled “Harjitinder Singh and others Vs. Amrinder Singh”.

2. Learned counsel for the petitioner, after arguing for some time, submits that the petitioner is aggrieved by the order whereby he was proceeded against ex-parte. Thereafter, he filed objections dated 08.04.2024 but the same were not taken on record.

3. Since it is an execution application, so the Judgment Debtor could join the proceedings at any stage of execution and move objection to the execution of order of ejectment. So the court was required to take objection and then to dispose of it.

4. Accordingly, the present revision petition is disposed of with a direction to the Judgment Debtor to file objections in the Executing Court within three days and on doing so, the Executing Court shall first dispose of the objections and then proceed further. The objection shall be disposed of in accordance with the law expeditiously. If objections are filed within three days, till the disposal of the same, warrant of possession issued in the execution shall remain stayed. Thereafter, Executing Court is free to proceed further in accordance with the law.

(GURBIR SINGH)
JUDGE

29.04.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No