

In the High Court of Punjab and Haryana, at Chandigarh

Execution Second Appeal No. 197 of 2016 (O&M)

Date of Decision: 22.07.2024

Param Jit Singh

... Appellant(s)

Versus

Sarup Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sandeep Jain and Mr. Sachin Jain, Advocates
for the appellant(s).

Anil Kshetarpal, J.

1. In this Execution Second appeal, the decree holder assails the correctness of the concurrent orders passed by the Executing Court as well as the First Appellate Court.
2. In substance, the appellant wishes to execute the judgment and decree passed on 12.11.1996 which was modified by the First Appellate Court on 17.03.1999. The decree passed by the Trial Court merges into the decree passed by the First Appellate Court. Hence, the decree passed by the Trial Court which has already been merged into the First Appellate Court's decree cannot be implemented.
3. Keeping in view the aforesaid facts, no ground is made out to interfere with the concurrent findings of facts arrived at by both the Courts below. Hence, the present appeal is dismissed.

(Anil Kshetarpal)
Judge

July 22, 2024
"DK"

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No