

2024:PHHC:059468

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

CR-5576-2019 (O&M)
Date of decision: 30.04.2024

Khem Chand

....Petitioner

Versus

Nanak and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vivek Goyal, Advocate for the petitioner

Mr.Jitender Kaushik, Advocate for respondent no.1 and
LRs of respondent no. 2 and 5

ANIL KSHETARPAL, J (Oral)

The objection petition filed by the judgment debtor no.2 has been dismissed by the Executing Court. In this case, a suit for possession by way of partition was filed. Preliminary decree for partition was passed on 23.10.2010 and the final decree for partition was passed on 22.01.2016. Before passing the final decree, the respondent's objection petition was dismissed and the final decree was passed. The same objections are sought to be taken before the Executing Court, which have been dismissed. Learned counsel representing the petitioner submits that the suit property in fact belongs to the Gram Panchayat. Hence, the decree cannot be implemented. However, the learned counsel representing the petitioner has failed to substantiate that fact.

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

Hence, dismissed.

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

30.04.2024
rekha
Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No

(ANIL KSHETARPAL)
JUDGE