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

CR-769-2025

Date of decision: 05.02.2025

Satinder Pal Singh

...Petitioner

Versus

Poonam Suri and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sachin Kalia, Advocate for
Mr. R.S. Bajaj, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 29.01.2025 (Annexure P-5) passed by the Executing Court in EXE-254-2021 titled as “Poonam Suri Vs. Vijay Kumar Dharma”.

2. Learned counsel for the petitioner has submitted that the petitioner had filed an application for giving the directions to the decree holder and judgment debtor as well as to the bailiff to identify and demarcate the property in question before executing the warrants of possession. It is submitted that the said application has been dismissed by the Executing Court vide order dated 29.01.2025, which order is against law and deserves to be set aside. It is prayed that directions be given to the bailiff to first identify and then demarcate the property in question.



3. This Court has heard learned counsel for the petitioner and has perused the paper book and finds that the impugned order is in accordance with law and the present revision petition being meritless, deserves to be dismissed.

4. It is not in dispute that respondent No.1-Poonam Suri had filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, for the ejectment of respondent No.2-Vijay Kumar Dharma from the premises in question on 21.05.2013 and vide judgment dated 26.09.2017, the order of eviction was passed. The present petitioner had filed objections to the said execution application by taking the plea that it was the petitioner who was the tenant in the premises. The said objections were dismissed vide detailed order dated 19.10.2024 by the Executing Court and it was observed that the objector had failed to prove or produce on record any document to show that he was tenant in the demised shop and that the objections had been filed only to delay the proceedings and they were frivolous. Thereafter, to further delay the proceedings, the petitioner filed an application for issuance of directions to the decree holder and judgment debtor and the concerned bailiff to identify and demarcate the property in question. The said application has been dismissed vide impugned order dated 29.01.2025 on the ground that the objections filed by the petitioner have already been dismissed on 19.10.2024 and even warrants of possession have been issued on 10.01.2025 and letter to SHO for providing police help had also been given and the pleas raised by the petitioner were similar to the pleas earlier raised in the earlier objections.

5. The fact that the objections of the petitioner have been



dismissed vide order dated 19.10.2024 has not been disputed before this Court. Once the objections raised by the petitioner had been dismissed, then, the petitioner had no locus standi to file further application in the execution proceedings, as it had been held in the order dated 19.10.2024 that the petitioner was not a tenant in the demised premises. It is apparent that the petitioner is trying to delay the execution of the judgment and decree dated 26.09.2017 passed in favour of respondent No.1-Poonam Suri.

6. Keeping in view the abovesaid facts and circumstances, the present revision petition filed is absolutely frivolous and meritless, deserves to be dismissed and is accordingly, dismissed.

05.02.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No