



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

**CR-1391-2023 (O&M)
Date of decision : 03.04.2025**

Chhotu Ram

...Petitioner

Vs.

Ajit Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rahul Deswal, Advocate
for the petitioner.

Mr. B.S. Mittal, Advocate
for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The petitioner herein filed an objection petition. In fact, in Civil Suit No. 187, dated 16.01.2015 (Ajit Singh vs. Chhotu Ram) decree for permanent injunction was passed against the defendant (petitioner herein) from interfering in the possession of decree-holder with respect to the land comprised in rectangle No. 191, khasra No. 14 (8-0). Subsequently, the decree-holder was forcibly dispossessed. The decree-holder filed an application under Order 21 Rule 32 of the Code of Civil Procedure, 1908, in which the petitioner filed objections, which were dismissed and the Court directed issuance of warrants of possession.

2. Learned counsel representing the petitioner contends that the partition proceedings are pending in a civil suit filed by Nopa Ram and others



against Ajit Singh and others (respondent) where the possession of Smt. Sarla Devi is admitted.

3. He further submits that in Civil Appeal No. 114 of 2019 filed by Sarla, the parties entered into a settlement.

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

5. Undoubtedly, the partition proceedings are pending, however, the decree-holder is a purchaser of the property by the registered sale deed. The petitioner is attorney of Smt. Sarla Devi. On 16.02.2021 in the presence of the counsel representing Smt. Sarla Devi, the following order was passed:-

"In view of the above facts and circumstances, I agree with the contention of Ld. counsel for appellant-defendant that respondent-plaintiff cannot be declared as owner of piece of land comprised in Killa No.14(8-0) of Sq.No.191 till the final findings given by the Financial Commissioner with respect to partition proceedings. Accordingly, the impugned judgment and decree is modified to the effect that both the parties will be bound by the final outcome of the partition proceedings and will be owner of the portion finally allotted to him, and till then, respondent-plaintiff Ajit Singh will enjoy the portion of the land allotted to him in Sanad Taksim vide rapat roznamcha no.170 dated 27.01.2014 along with Kabja Karwahi in killa no.14 (8-0) of Sq.No.191. Both the parties to bear their own costs. Decree-sheet be prepared accordingly and file be consigned to record room."

6. It is evident that the possession of decree-holder, Sh. Ajit Singh over land comprised in No. 191 khasra No. 14 (8-0) was admitted.

7. Furthermore, there is a decree against the petitioner with respect to the aforesaid land.
8. Keeping in view the aforesaid discussion, no ground to interfere is made out.
9. Hence, the revision petition is dismissed.

03.04.2025	(ANIL KSHETARPAL)	
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No