



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

Date of decision : 08.04.2025

1. ESA-13-2020 (O&M)

Smt. Surinder Kaur ...Appellant

Vs.

**Roop Singh (deceased) through LRs
and another ...Respondents**

2. ESA-28-2018 (O&M)

Smt. Surinder Kaur ...Appellant

Vs.

Joginder Singh and another ...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Inderjit Sharma, Advocate
for the appellant in ESA-13-2020.**

**Ms. B.K. Bhullar, Advocate
for respondent No. 2 in ESA-13-2020.**

ANIL KSHETARPAL, J. (Oral)

1. With the consent of learned counsel representing the parties, two connected execution second appeals filed by the appellant (objector) shall stand disposed of.

2. In both of these execution second appeals, the appellant assails the concurrent findings of fact arrived at by the Courts below while dismissing her objection petition. The appellant is sister-in-law of the judgment debtor. On



29.05.2001, Sh. Joginder Singh decree-holder filed a suit for recovery against the Judgment debtor, Sh. Ranjit Singh, which was decreed on 17.03.2008. In execution of the money decree, the property was attached. At that stage, the appellant filed an objection petition claiming that Sh. Ranjit Singh executed an agreement to sell in her favour on 27.06.1998. She has also filed a suit for specific performance of the agreement to sell, which is adjourned *sine die*.

3. Both the Courts have found that the appellant and judgment debtor have colluded to defeat the creditor's rights. In execution of the decree, the property has already been sold in favour of the auction purchaser, who has not been made party.

4. Heard the learned counsel representing the parties at length and with their able assistance perused the paper-book.

5. Learned counsel representing the appellant submits that at one stage the execution petition was dismissed, which was restored without issuing notice to her.

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

7. It is evident that subsequently the appellant filed fresh objection petition, which was considered and dismissed by the Executing Court. The appellant filed first appeal, which was also dismissed. Hence, the objection filed by the appellant have already been considered. The appellant does not dispute that she is sister-in-law of judgment debtor.

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

out.

9. Hence, both the appeals are dismissed.

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

08.04.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No