

CR-2977-2025

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116

CR-2977-2025

Date of decision:16.05.2025

RAM KUWAR ALIAS RAM KUMAR

...PETITIONER

VS.

MAHENDER SINGH ALIAS MAHENDER KUMAR AND OTHERS

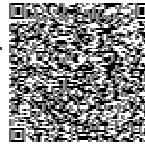
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Sunita Shekhawat, Advocate
for the petitioner.

SUVIR SEHGAL, J.

1. Aggrieved of order dated 06.02.2025, Annexure P-1, passed by the learned Civil Judge (Senior Division), Narnaul, in an execution petition, petitioner-JD has approached this Court by way of instant revision petition.
2. Counsel for the petitioner submits that by the impugned order, Executing Court has appointed a Local Commissioner to comply with its earlier order dated 07.11.2023 and execute the sale deed in favour of the decree-holder. She submits that the property in dispute has been mortgaged with the Mahendergarh District Primary Cooperative Agricultural and Rural Development Bank Limited (for short "the Bank") and till the time, objections filed by the Bank are not adjudicated, decree cannot be executed.
3. I have heard counsel for the petitioner and considered her submission.



CR-2977-2025

-2-

4. It cannot be disputed that judgment and decree, Annexures P-2 and P-3, have been passed, whereby suit for specific performance filed by respondent No.1/DH has been accepted. Although, it has been claimed that the documents were handed over to a counsel for the filing of an appeal, but he did not institute the appeal. Be that as it may, judgment and decree, Annexures P-2 and P-3, have become final. Petitioner has filed an execution and during the course of the execution petition, impugned order, Annexure P-1, has been passed. Petitioner, who is one of the decree-holders cannot object to the execution of the sale deed. The mere fact that some objections have been filed by the Bank, which are pending before the Executing Court cannot be a ground to stall the execution proceedings. In case, the Bank has any grievance, it will be open to it to take recourse to the remedy available to it in accordance with law.

5. There is no illegality or impropriety in the order passed by the Executing Court.

6. Petition sans merit and is dismissed with no order as to costs.

16.05.2025

sheetal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No