



EFA-14-2016(O&M)

EFA-15-2016(O&M)

1

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

1.EFA-14-2016(O&M)

Harjinder Singh & Another

..Appellants

Versus

Punjab Civil Supplies Corporation Limited & others

..Respondents

2.EFA-15-2016(O&M)

Bhupinder Singh & Another

..Appellants

Versus

Punjab Civil Supplies Corporation Limited & others

..Respondents

Date of decision:21.05.2025

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.N.Malik, Advocate for the appellants

**Ms. Priyanka Sud, Advocate for respondent no.1 and 2
(through VC)**

Mr. R.S.Kalra, Advocate

Ms. Mona Yadav, Advocate for PUNSUP

ANIL KSHETARPAL, J. (Oral)

1. With the consent of the Learned counsel representing the parties, two Execution First Appeals i.e EFA-14-2016 and EFA-15-2016 shall stand disposed of by this common order.

2. The appellants in these two appeals have purchased two separate parcels of land vide sale deeds executed in the year 2005 to



EFA-14-2016(O&M)

EFA-15-2016(O&M)

2

2008 from judgment debtor. The appellant (plaintiff) in EFA-14-2016 has purchased 16 kanals 10 marlas land whereas appellants in EFA-15-2016 have purchased 14 kanals 6½ marlas land. In fact, the entire suit property alongwith building machinery was part of M/s New Kissan Rice Mills. The aforesaid Mill defaulted to deliver the rice after de-husking from the paddy which belongs to PUNSUP. On 11.08.2003 order injuncting the rice mills and its partners was passed by the court under Section 9 of the Arbitration and Conciliation Act, 1996 which continued and ultimately, culminated into final injunction order on 18.03.2006. The Arbitrator passed award in favour of PUNSUP on 28.04.2004 which was upheld by the District Judge on 23.06.2009.

3. Subsequently, the property of the Mill was put to public auction, however, there was no buyer. Ultimately, PUNSUP purchased the same. The appellants filed objections, which have been dismissed by the court.

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

5. Learned counsel representing the appellant submits that being bonafide purchasers, the request of the appellants to purchase the property to the extent of 6 kanals 10 marlas and 14 kanals 6½ marlas should have been allowed by the Executing Court.

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



EFA-14-2016(O&M)

EFA-15-2016(O&M) 3

7. The auction of the property was with respect to 181 kanals 11 marlas which has been confirmed by the court. The judgment debtor or subsequent purchasers are required to make an offer and take steps in accordance with Order XXI Rule 89 of the Code of Civil Procedure, 1908, which does not provide for setting aside the sale of the property sold in court auction in part.

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

9. Hence, dismissed.

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

(ANIL KSHETARPAL)
JUDGE

21.05.2025

rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No