



In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 5573 of 2019 (O&M)

Date of Decision: 06.02.2025

Rana Gautam

... Petitioner(s)

Versus

Sushil Kumar

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sandeep Jasuja, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. There is a Civil Court decree for the recovery of 7,45,600/- against the petitioner. In the execution petition, he is sought to be sent to civil imprisonment. It has come on the record that the petitioner-judgment debtor had transferred the land measuring 16 kanals 17 marlas in favour of his daughter on 03.06.2015 which was just two months and 20 days before filing of the suit.

2. It appears that the Executing Court has overlooked Section 53 of the Transfer of Property Act, 1882 (hereinafter referred to as “the 1882 Act”). Before ordering civil imprisonment of the petitioner, the Court is required to examine the correctness of the transfer deed in the context of Section 53 of the 1882 Act.

3. Keeping in view the aforesaid facts, the present revision petition is allowed and the impugned order is set aside while directing the

in the context of Section 53 of the 1882 Act.

4. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

February 06, 2025
“DK”

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