



In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 6377 of 2023

Date of Decision: 14.05.2025

Naveen Sachdeva and Another

... Petitioner(s)

Versus

Darshan Lal (Since Deceased) through his Legal Representatives and
Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kulvir Narwal and Mr. Abhisar Chaudhary, Advocates
for the petitioner(s).

Mr. Akshay Chadha, Advocate
for respondent No.1.

Anil Kshetarpal, J.

1. The petitioners herein claim to have purchased the property during the pendency of the suit filed by Darshan Lal on 20.09.2011 for the grant of decree of declaration against Kanta Devi and others, who are the heirs of Jarnail Singh. Darshan Lal has also prayed for possession during the pendency of the suit by filing an application which was allowed. Kanta Devi and others, the heirs of Jarnail Singh, also filed a cross-suit. Both the suits were consolidated and the suit filed by Darshan Lal was decreed on 22.11.2018.

2. The objection petition filed by the petitioners has been dismissed by the Executing Court as is governed by the rule of *lis pendens*. Moreover, the judgment debtors themselves were not the owners of the

property. Hence, they could not have transferred the better title in favour of the petitioners.

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

4. The learned counsel representing the petitioners submits that the application for permission to amend the suit in order to seek possession was allowed subject to the evidence of the fact that Darshan Lal was dispossessed during the pendency of the suit, however, this issue was not decided.

5. This Court has considered the submissions of the learned counsel representing the parties.

6. Firstly, the learned counsel representing the petitioners is trying to make out a new case which was never taken up before the Court below. Secondly, the Trial Court, while passing the decree on 22.11.2018, has decreed the suit filed by the plaintiff including the relief of possession which has become final. Moreover, the petitioners are governed by the rule of *lis pendens*. Hence, their rights are subservient to the result of the suit which has already been decided against the other vendors.

7. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

May 14, 2025
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No