

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.4103 of 2018 (O&M)

Date of Order:14.05.2025

Labh Singh

.Petitioner

Versus

Harbans Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Neeraj Sharma, Advocate
for the petitioner.

Mr. Devinder K. Rajwal, Advocate
for respondent no.1.

Mr. H.S.Dhindsa, Advocate
for respondent no.2.

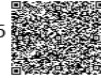
ANIL KSHETARPAL, JUDGE (Oral)

1. On 01.05.2025, the following order was passed:-

“Admittedly, the appellant purchased the house of the Judgment Debtor in a Court auction for Rs.3,60,000/- on 11.01.2018, which was set aside by the Court. In the second auction held on 02.07.2018, he gave highest bid of Rs.7,00,000/-. In other words, within a period of six months he offered to pay nearly double the amount of highest bid offered by him at the time of first auction.

List, in the urgent list, on 14.05.2025, for final consideration.”

2. There is a decree for recovery of Rs.3,00,000/- along with interest @ 12% from 05.02.2004 till the date of decree i.e. 12.03.2013 with future interest @ 8% per annum. Judgement Debtor was unable to pay the amount, hence, his house was auctioned on 11.01.2018, for Rs.3,60,000/-. The Executing Court refused to confirm the sale on the ground that the



auction has been conducted by the officials of revenue department.

3. The learned counsel representing the petitioner submits that Section 141 of the Punjab Land Revenue Act, 1887, has not been properly read by the court as the revenue officer is also entitled to auction the property.

4. On a court question, the learned counsel representing the petitioner admits that there was no direction to the revenue official to conduct the auction. Moreover, in the second auction, within six months from first auction, the petitioner has offered to pay Rs.7,00,000/- for the same property. Obviously the auction was not conducted properly.

5. The learned counsel representing the Decree Holder submits that the auction was held for Rs.7,50,000/-, which is disputed by the petitioner's counsel.

6. At this stage, the learned counsel representing the Judgment Debtor has tendered two drafts of Rs.8,60,000/- drawn in favour of the decree holder. Pursuant to the second auction held on 02.09.2018, the petitioner-auction-purchaser has only paid Rs.1,87,000/-. Thus, the petitioner has also failed to pay the amount. However, this is not subject matter in the present revision petition.

7. Keeping in view the facts of the case, the revision petition is dismissed while directing the Executing Court to consider all aspects. Two demand drafts of Rs.8,60,000/- have been returned to the counsel representing the Judgment Debtor with liberty to tender the same before the Executing Court on the next date of hearing i.e. 17.05.2025.

8. Photocopy of the demand drafts has been retained on the file of



the court.

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

(ANIL KSHETARPAL)
JUDGE

May 14, 2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No