



CR-6809-2025

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

(123)

CR-6809-2025

Date of Decision:-23.09.2025

Jagjiwan Singh and Another

.....Petitioners

Versus

Sharanjit Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Harpreet Singh Multani, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present civil revision petition has been filed under Article 227 of the Constitution of India, for setting aside of the interim order dated 16.09.2025 (Annexure P-1), whereby in execution proceedings arising out of Civil Suit No.10 of 2021 titled "*Sharanjit Vs. Jagjiwan Singh and another*", the learned Executing Court ordered attachment of the residential house of the petitioners and also issued warrants of possession in Execution No.91 of 2025 titled "*Sharanjit Kaur Vs. Jagjiwan Singh and another*".

1.2 The petitioners have prayed that the said execution proceedings, arising out of ex parte judgment and decree dated 11.12.2024, be kept in abeyance till disposal of their application filed under Order IX Rule 13 CPC for setting aside the aforesaid ex parte judgment and decree. It has further been prayed that the execution proceedings initiated by the respondents be stayed during pendency of the said application.



CR-6809-2025

2. Learned counsel for the petitioner, *inter alia*, submits that the ex parte judgment and decree dated 11.12.2024 (Annexure P-2) was passed by the learned Civil Judge (Junior Division), Kharar, against the present petitioners. The petitioners thereafter filed an application under Order IX Rule 13 CPC for setting aside the said judgment and decree, which is still pending. Despite pendency of the said application, the Executing Court has proceeded to issue warrants of attachment and possession. It was contended that unless the execution proceedings are stayed, the very purpose of filing the application under Order IX Rule 13 CPC would be rendered infructuous.

3. To fortify his submissions, learned counsel for the petitioners placed reliance on judgments of this Court in *CR No. 3760 of 2023, Siraj @ Suraj vs. Sumit Jain* (decided on 06.07.2023); *Davinder Pal Singh and another vs. Narinder Pal Singh and others*, 2016(3) RCR (Civil) 194; *M/s Khass Fashion and another vs. Gurinder Singh*, 2019(2) Law Herald 1093; *Sanjay Sharma vs. Raj Kumar*, 2020(2) RCR (Rent) 557; and *Mehar Singh and others vs. Firm Pakher Singh and others*, 2004(1) RCR (Civil) 799.

4. I have heard learned counsel for the petitioners and perused the paper-book.

5. In view of the order being passed herein, issuance of notice to the respondent is dispensed with, as the same would only delay the matter and entail additional expense to the respondent.

6. Considering the facts and circumstances of the case, the present petition is disposed of with a direction that the proceedings before the Executing Court shall remain stayed till the application under Order IX



CR-6809-2025

Rule 13 CPC filed by the petitioners is adjudicated upon by the learned Civil Judge (Junior Division), Kharar. The learned Trial Court is further directed to expedite disposal of the said application and conclude the proceedings within a period of three months from the next date of hearing fixed before it.

7. Pending miscellaneous application(s), if any, also stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

23.09.2025

Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No



CR-6809-2025

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

(123)

CR-6809-2025

Date of Decision:-23.09.2025

Jagjiwan Singh and Another

.....Petitioners

Versus

Sharanjit Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Harpreet Singh Multani, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present civil revision petition has been filed under Article 227 of the Constitution of India, for setting aside of the interim order dated 16.09.2025 (Annexure P-1), whereby in execution proceedings arising out of Civil Suit No.10 of 2021 titled "*Sharanjit Vs. Jagjiwan Singh and another*", the learned Executing Court ordered attachment of the residential house of the petitioners and also issued warrants of possession in Execution No.91 of 2025 titled "*Sharanjit Kaur Vs. Jagjiwan Singh and another*".

1.2 The petitioners have prayed that the said execution proceedings, arising out of ex parte judgment and decree dated 11.12.2024, be kept in abeyance till disposal of their application filed under Order IX Rule 13 CPC for setting aside the aforesaid ex parte judgment and decree. It has further been prayed that the execution proceedings initiated by the respondents be stayed during pendency of the said application.



CR-6809-2025

2. Learned counsel for the petitioner, *inter alia*, submits that the ex parte judgment and decree dated 11.12.2024 (Annexure P-2) was passed by the learned Civil Judge (Junior Division), Kharar, against the present petitioners. The petitioners thereafter filed an application under Order IX Rule 13 CPC for setting aside the said judgment and decree, which is still pending. Despite pendency of the said application, the Executing Court has proceeded to issue warrants of attachment and possession. It was contended that unless the execution proceedings are stayed, the very purpose of filing the application under Order IX Rule 13 CPC would be rendered infructuous.

3. To fortify his submissions, learned counsel for the petitioners placed reliance on judgments of this Court in *CR No. 3760 of 2023, Siraj @ Suraj vs. Sumit Jain* (decided on 06.07.2023); *Davinder Pal Singh and another vs. Narinder Pal Singh and others*, 2016(3) RCR (Civil) 194; *M/s Khass Fashion and another vs. Gurinder Singh*, 2019(2) Law Herald 1093; *Sanjay Sharma vs. Raj Kumar*, 2020(2) RCR (Rent) 557; and *Mehar Singh and others vs. Firm Pakher Singh and others*, 2004(1) RCR (Civil) 799.

4. I have heard learned counsel for the petitioners and perused the paper-book.

5. In view of the order being passed herein, issuance of notice to the respondent is dispensed with, as the same would only delay the matter and entail additional expense to the respondent.

6. Considering the facts and circumstances of the case, the present petition is disposed of with a direction that the proceedings before the Executing Court shall remain stayed till the application under Order IX



CR-6809-2025

Rule 13 CPC filed by the petitioners is adjudicated upon by the learned Civil Judge (Junior Division), Kharar. The learned Trial Court is further directed to expedite disposal of the said application and conclude the proceedings within a period of three months from the next date of hearing fixed before it.

7. Pending miscellaneous application(s), if any, also stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

23.09.2025

Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No