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

CR-7482-2018 (O&M)
Date of decision: 24.02.2026

Daljit Kaur

...Petitioner

Versus

Sukhdev Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Bhag Singh, Advocate for the petitioner.

Mr. Vijay Lath, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 05.10.2018 passed by the Executing Court whereby the application filed under Order 21 Rule 72 CPC by the respondent-decree holder has been allowed.

2. Learned counsel for the petitioner has very fairly submitted that in the present case, the petitioner who is Judgment Debtor was primarily challenging the auction proceedings which have already taken place. It is submitted that the respondent-decree holder had filed the suit for specific performance and the said suit was dismissed and in appeal, the only relief granted to the respondent-decree holder was alternative relief of refund of earnest money along with interest. It is submitted that the petitioner has



filed RSA-759-2018 which is pending. It is submitted that in the said circumstances, the petitioner has no objection to auction proceedings being finalized but the petitioner be granted liberty to raise all the pleas in the said RSA and in case the said RSA of the petitioner is allowed then to seek right of restitution. It is thus, submitted that the present revision petition be disposed of with said liberty.

3. Learned counsel for the respondent has submitted that he has no objection to the said course of action and has submitted that liberty be granted to the respondent to raise all the pleas in the Regular Second Appeal as well as in any proceedings which the petitioner would institute.

4. Keeping in view the abovesaid facts and circumstances, the present revision petition is disposed of with liberty as prayed for.

5. It would be open to both the parties to raise all the pleas in RSA as well as in the proceedings which either of the parties institute after the decision in RSA.

24.02.2026

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No