

2026:PHHC:040797



CR-1946-2025

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-1946-2025

Date of decision : 16.03.2026

Shiv Dutt and others

... Petitioners

Versus

Sukhbiri

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Randhir Singh Hooda, Advocate
for the petitioners.

Mr. Tanmoy Gupta, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. On 02.07.2025, this Court was pleased to pass the following
order:-

*“Present:- Mr. Randhir Singh Hooda, Advocate
for the petitioners.*

*Mr. Tanmoy Gupta, Advocate
for the respondent.*

*During the course of arguments, learned counsel for the
petitioners and learned counsel for the respondent have fairly brought to
the notice of this Court that vide order dated 03.05.2025, fresh warrant of
sale qua 24 kanal land has been ordered and the auction is to take place
on 11.07.2025. It is jointly submitted that there is a possibility that the
decretal amount will be satisfied by sale of 8 kanal (one acre) of land. It is
further jointly submitted that the petitioners and respondent would move a*



joint application for the sale of said 8 kanal of land before the Executing Court within a period of one week from today with a prayer for preparing a fresh warrant of sale along with the fresh schedule for auctioning of the said 8 kanal of land, in the first instance.

In view of the above-said fair stand taken by learned counsel for the petitioners as well as learned counsel for the respondent, liberty is granted to the petitioners as well as to the respondent to move joint application before the Executing Court for the purpose of sale of 8 kanal of land out of the land holding of the petitioner. In case the application is jointly moved within a period of one week from today, the auction dated 11.07.2025 with respect to 24 kanal of land would be deemed to have been cancelled. The Executing Court, on the basis of the joint application, if is filed within the aforesaid period, would prepare a fresh schedule as well as issue fresh warrant of sale etc., with respect to 8 kanals of land. All further questions with respect to decretal amount being satisfied by the said sale or not and if satisfied, the balance amount to be paid to the petitioner, would be considered after the said auction is conducted. In case in the said auction, the amount received is beyond the decretal amount, then, the amount in excess would be kept in FD by the Executing Court and the said amount would be released only after specific orders are passed by this Court.

Adjourned to 03.09.2025.

July 02, 2025”

2. Learned counsel for the petitioners has submitted that subsequent to the passing of said order, a joint application was filed by the petitioners and the respondent and in view of the joint application, the earlier order for sale of 24 kanals of land was set aside and fresh auction was to take place with respect to 8 kanals of land and in the said proceedings, the respondent also wanted to participate and she was allowed to participate and was permitted to bid but the said respondent did not turn up and thus, thereafter, on 27.08.2025, the Executing Court observed that



the decree holder in spite of permission had failed to file any bid. It is submitted that the matter is being adjourned only on account of pendency of the present case and in view of the subsequent facts, the present petition has been rendered infructuous but liberty be granted to the petitioners to challenge any further order passed, if there is any cause to challenge the same.

3. In view of the above, the present revision petition is disposed of as having been rendered infructuous with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

March 16, 2026.
Davinder Kumar

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