



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

129

CR-4175-2026

Date of decision: 18.05.2026

Harjinder Singh Roopra

...Petitioner

Versus

Gaurav Sharma and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Ms. Jasleen Kaur, Advocate, for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India, 1950, challenging the impugned order dated 27.04.2026 (Annexure P-8) passed by the learned Civil Judge (Jr. Divn.), Nakodar, in CM-29/2006 in EXE-11/2026 titled as “Gaurav Sharma Vs. Harjinder Singh Roopra”, whereby the Executing Court has ordered the auction of the property of the present petitioner during the pendency of appeal bearing CA-74-2024.

2. The brief facts of the case are that respondent-Gaurav Sharma had filed a suit for damages/compensation on account of delay in construction of lawyers’ chambers against the present petitioner and others. Notice of the said suit was issued to the present petitioner and others, who contested the same by filing their written statement before the learned Civil Judge (Junior Division), Kapurthala. As many as seven issues were framed by the learned Civil Judge (Jr. Divn.), Kapurthala. Thereafter, the parties led their respective evidence and ultimately, the suit of the respondent was decreed vide judgment and decree dated 30.01.2024, whereby an amount of Rs.8 lakhs along with



decree dated 30.01.2024, the petitioner and others preferred an appeal before the learned Additional District Judge, Kapurthala. In the said appeal, the present petitioner moved an application for condonation of delay in filing the civil appeal against the judgment and decree dated 30.01.2024, which was allowed vide order dated 19.03.2024. Thereafter, the case was fixed for consideration of the stay application. In the meantime, the respondents filed an execution application. Notice of the execution application was issued to the petitioner and others; however, they failed to appear before the learned Executing Court and were ultimately proceeded against ex parte. Thereafter, the learned Civil Judge (Jr. Divn.), Kapurthala, vide impugned order dated 27.04.2026, ordered the property of the petitioner to be put to auction for 19.05.2026.

3. Learned counsel for the petitioner/judgment-debtor contends that since the matter is pending consideration before the learned Additional District Judge, Kapurthala, the learned Civil Judge (Jr. Divn.), Kapurthala, ought not to have ordered the auction of the property of the petitioner. She further contends that the transfer application bearing TA-1409-2025 pertaining to the present case is also pending consideration before this Court.

4. Considering the limited nature of relief sought, issuance of notice to the respondents is dispensed with, as the same would only result in further delay in the proceedings.

5. I have heard learned counsel for the petitioner and have perused the paper book with his able assistance.

6. Keeping in view the aforesaid facts and circumstances, without commenting upon the actual merits of the case, the impugned order dated



27.04.2026 (Annexure P-8) shall be stayed till the disposal of aforesaid appeal before the learned District Judge.

- 7. Pending applications, if any, shall stand disposed of.
- 8. Registry is directed to send a copy of this order to the Executing Court for necessary compliance.

May 18, 2026
anil

(AMARINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned

:

Yes / No

Whether reportable

:

Yes / No