



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

CR No. 4626-2026 (O&M)

DATE OF DECISION: 29.05.2026

MALL SINGH AND OTHERS

.....PETITIONERS

Vs.

BALVIR SINGH AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Nikhil Deora, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J.(ORAL)

CM-11578-CII-2026

(i) Application for leave to file the present petition without
Number of Roll of Advocates, is allowed, as prayed for.

CR No. 4626-2026

1. Prayer in the present Civil Revision Petition filed under
Article 227 of the Constitution of India is for setting aside the impugned
order dated 08.04.2026 (Annexure P-1), passed by the learned Civil Judge
(Senior Division), Guruharsahai, in Execution Petition No. 4 of 2026, titled
as '*Balvir Singh and others vs. Mall Singh and others.*'

2. Brief facts of the case are that the respondents filed Civil Suit
No. 329 of 2019 for possession of the suit property before the learned
Additional Civil Judge (Senior Division), Guruharsahai, against the present
petitioners. Notice of the said suit was issued to the present petitioners,
who contested the same by filing their written statement. The learned trial



Court framed as many as five issues. The parties led their respective evidence and, ultimately, the suit filed by the present respondents was decreed for possession of the suit property vide judgment and decree dated 16.12.2025 (Annexure P-3). Aggrieved against the same, the present petitioners filed an appeal before the learned District Judge, Ferozepur (Annexure P-4). During the pendency of the said appeal, the respondents filed an execution petition. Notice of the said execution petition was issued to the present petitioners/judgment debtors, who contested the same by filing objections. The learned Additional Civil Judge (Senior Division), Guruharsahai, after hearing learned counsel for the parties, dismissed the objections vide the impugned order dated 08.04.2026 (Annexure P-1), and warrants of possession of the property of the judgment debtors were issued.

3. Learned counsel for the petitioners has contended that since the appeal against the judgment and decree dated 16.12.2025 (Annexure P-3) is pending before the learned District Judge, Ferozepur, the execution proceedings ought to have been stayed till the decision of the appeal. However, instead of accepting the objections, the learned Executing Court dismissed the objections filed by the present petitioners.

3.1 It is further submitted that in case the warrants of possession are executed, the very purpose of filing the appeal before the learned District Judge, Ferozepur, would be frustrated.

4. In view of the facts of the present case, this Court feels that issuance of notice to the respondents would unnecessarily delay the proceedings; therefore, issuance of notice to the respondents is dispensed with.



5. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.

6. Keeping in view the facts and circumstances of the present case and after hearing the contentions raised by learned counsel for the petitioners, this Court deems it fit to stay the proceedings before the learned Executing Court during the pendency of the appeal pending before the learned District Judge, Ferozepur.

7. Consequently, without making any comment on the actual merits of the case, the present petition is allowed and the impugned order dated 08.04.2026 (Annexure P-1) passed by the learned Executing Court is set aside. The proceedings before the learned Executing Court shall remain stayed during the pendency of the appeal pending before the learned District Judge, Ferozepur. The learned District Judge, Ferozepur, is also directed to dispose of the appeal pending before it as expeditiously as possible preferably within a period of six months from today.

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

MAY 29, 2026

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Whether Speaking

Whether Reportable

(AMARINDER SINGH GREWAL)

JUDGE

Yes

No