

2026:PHHC:085008



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

CR-4632-2026

Date of Decision: 29.05.2026

GURMEET SINGH @ GURMIT SINGH

...Petitioner

Versus

M/S MOHINDRA TRADING COMPANY AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Hasrat Brar, Advocate
for the petitioner.

PARMOD GOYAL, J. (ORAL)

Present civil revision petition has been preferred under Article 227 of Constitution of India by petitioner/judgment debtor No.2 being aggrieved by impugned order dated 13.05.2026 (Annexure P-6), passed by learned Additional Civil Judge (Senior Division), Sri Muktsar Sahib whereby application preferred by respondent No.1/decree holder under Order XXI Rule 66 CPC, 1908 was allowed, contentions of petitioner/judgment debtor No.2 were rejected and warrants of sale were issued.

2. Vide judgment and decree dated 07.10.2021, decree for recovery of Rs.5,34,022.25/- along with interest @6% p.a. from the date when amount became due till decision and further interest @9% p.a. from date of decree till actual realization was granted. Liability of both the defendants

was held to be joint and several. As per respondent/deGREE holder, as of now Rs.8,67,107.25/- is stated to be due against judgment debtors and accordingly, he had got attached the property owned by petitioner/judgment debtor No.2 and had prayed for sale of same for recovery of due amount under decree dated 07.10.2021.

3. The sole ground which petitioner/judgment debtor No.2 had taken before executing Court and this Court is that he is ready to pay his 50% share and respondent/deGREE holder No.1 in connivance with judgment debtor No.1 is wrongly proceeding against petitioner/judgment debtor No.2 to recover the entire amount.

4. On consideration, I find no merit in the contention raised on behalf of learned counsel for petitioner/judgment debtor No.2. Admittedly, judgment debtors No.1 and 2 are real brothers and they had taken liability jointly. Vide judgment and decree dated 07.10.2021, learned Court while passing the decree had held both the judgment debtors No.1 and 2 jointly and severally liable. Judgment and decree dated 07.10.2021 has attained finality and in these circumstances, when liability has been held to be joint and several, there is nothing illegal or wrong with efforts of respondent No.1/deGREE holder to get the entire amount recovered from one of the judgment debtors in preference to other as it is more convenient for respondent No.1/deGREE holder to recover the said amount from one of them. The choice of respondent No.1/deGREE holder when liability is joint and several cannot be faulted with. The orders passed by learned Executing Court, therefore, are in accordance with decree dated 07.10.2021 and no fault with the same can be found.

5. Revision petition is accordingly dismissed.

6. Pending application(s), if any, is/are disposed of accordingly.

29.05.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No