



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

(116)

CR-7055-2025 (O&M)
Date of Decision: **09.04.2026**

KEWAL KRISHAN

... Petitioner

Versus

SATINDER PAL SINGH BHULLAR AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Ms. Priti Mahajan, power of attorney of the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The instant civil revision petition has been instituted by the petitioner under Article 227 of the Constitution of India, invoking the supervisory jurisdiction of this Court, assailing the order dated 11.09.2025 (Annexure P-1) passed by the learned Civil Judge (Junior Division), Chandigarh, whereby, while disposing of an application preferred by the decree-holder, the learned Executing Court directed the petitioner to take possession of the household articles within a period of two weeks, failing which the decree-holder was granted liberty to put the said articles to sale.
2. Elucidated at length, the petitioner-judgment debtor has preferred the present revision petition contending, inter alia, that the respondent-decree-holder has allegedly secured transfer of 50% share of House No.2109, Sector 15-C, Chandigarh, in his favour in an illegal manner, at a time when the said property stood resumed with the Estate



Office and an application for transfer of the said share in favour of another family member, namely Veera Devi, was pending consideration.

2.1 It has further been alleged that, in execution of the decree, the remaining 50% share of the property was also purchased by the decree-holder at a grossly undervalued consideration of ₹20,00,00,000/-, purportedly through manipulative means and in connivance with officials of the Estate Office and other intermediaries. It is also alleged that an Advocate, namely Vinod Rawat, appeared on behalf of the petitioner without due authorization. On such premises, the petitioner seeks to assail the legality of the decree as well as the execution proceedings arising therefrom.

2.2 It has further been brought on record that the decree-holder had moved an application seeking possession of the property in question, along with an application for termination of superdari of the household articles lying therein. Another application was also filed by one of the judgment debtors, namely Satish Kumar, seeking directions to the decree-holder to hand over certain articles. The learned Executing Court, vide the impugned order, directed Kewal Krishan to take possession of the articles within a period of two weeks, failing which the decree-holder was permitted to sell the articles, if marketable, and deposit the sale proceeds in Court, to be disbursed upon appropriate application. Aggrieved by the aforesaid direction, the present revision petition has been filed by the petitioner through his power of attorney holder.



2.3 I have considered the submissions advanced on behalf of the petitioner and have perused the paper-book with due care.

3. Mr. Priti Mahajan appearing through power of attorney holder has contended that the impugned order is unsustainable inasmuch as the entire proceedings culminating in the decree, as well as the execution proceedings, are vitiated by illegality and are null and void.

3.1 At the outset, it is apposite to observe that this Court, in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India, is not called upon at this stage to examine the legality or validity of the decrees under execution or the prior proceedings culminating therein. The limited scope of consideration is confined to examining whether the impugned order suffers from any patent illegality or material irregularity.

3.2 A perusal of the record reveals that, in execution of the decree, warrants of possession were duly issued. During the course of execution, the judgment debtor Kewal Krishan and his son Sanjay Mahajan, who were present at the site, declined to take custody of the household articles lying in the property in question. Consequently, the Bailiff prepared an inventory of the said articles and entrusted the same on superdari to the decree-holder, the details whereof stand duly recorded in the impugned order.

3.3 Thereafter, the decree-holder moved an application under Order XXI Rule 43 of the Code of Civil Procedure, 1908, seeking termination of the superdari. The learned Executing Court, upon



consideration, held that the provisions of Order XXI Rule 43 CPC were not strictly applicable for termination of superdari in the facts of the case. However, taking note of the admitted position that the articles belonged to the judgment debtor Kewal Krishan, the learned Executing Court directed him to take possession thereof within a period of two weeks, failing which liberty was granted to the decree-holder to sell the articles and deposit the proceeds in Court.

3.4 In the factual matrix of the case, where the judgment debtor has demonstrably declined to take custody of his own articles and has remained recalcitrant, the decree-holder cannot be compelled to retain such articles indefinitely. The direction issued by the learned Executing Court is, therefore, a pragmatic and legally tenable measure to balance the equities between the parties and to facilitate effective execution of the decree.

3.5 In view of the aforesaid, this Court finds that the impugned order does not suffer from any illegality, perversity, or material irregularity warranting interference under Article 227 of the Constitution of India. The present revision petition, being devoid of merit, is accordingly **dismissed**.

4. It is, however, clarified that the observations made hereinabove are confined solely to the adjudication of the present revision petition and shall not be construed as an expression of opinion on the merits of the underlying dispute or the validity of the decree under execution. Nothing stated herein shall prejudice or influence the rights, claims, or contentions of any party in any other proceedings.



5. In view of the final adjudication of the principal matter, all pending miscellaneous applications, if any, shall also stand disposed of accordingly. No further orders are required to be passed in that regard.

09.04.2026
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

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