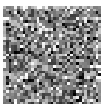


CR-7202-2025 (O&M)
CR-7462-2025 (O&M)
CR-8583-2025 (O&M)

2026.PHHC.014319



-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1) CR-7462-2025 (O&M)

Deepak Chauhan and others ..Petitioners

Versus

Bal Kishan @ Ballu Ram and others ..Respondents

(2) CR-8583-2025 (O&M)

Ram Kumar and others ..Petitioners

Versus

Bal Kishan @ Ballu Ram and others ..Respondents

(3) CR-7202-2025 (O&M)

Deepak Chauhan and others ..Petitioners

Versus

Bal Kishan @ Ballu Ram and others ..Respondents

Reserved on: 08.01.2026
Date of decision: 30.10.2026
Uploaded on: 31.01.2026

Whether only the operative part of the judgment is pronounced? NO
Whether full judgment is pronounced? YES

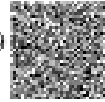
CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Kshitij Sharma, Sr. Advocate
with Mr. Rakesh Dhiman, Advocate
Ms. Gurpreet Kaur Bhatti, Advocate
for the petitioners.

Mr. Ashish Yadav, Advocate
Mr. Vishal Mittal, Advocate
for respondents.

SUDEEPTI SHARMA, J. (Oral)

1. Since the dispute in all the three civil revision petitions is regarding the same suit property and facts of all the revision petitions are same, therefore, all the civil revision petitions are decided vide this common judgment.

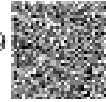


CR-7462-2025 (O&M)

Deepak Chauhan and others Vs. Bal Kishan @ Ballu Ram and others

1. The present civil revision petition is preferred against judgment and decree dated 16.05.2024 passed by learned Civil Judge, Jr. Division, Gurugram, whereby, application under Order XX Rule 6A CPC for preparation of decree sheet based on compromise dated 03.02.2012 in a disposed of suit for permanent injunction was allowed.

2. Brief facts of the case as per the pleadings are that there was an agreement to sell between Bal Kishan (respondent No.1) and Ram Kumar, Dalip, Neelam, Tejpal & Ashok (respondent Nos.2 to 5) on 20.01.2005. Since due date for performance was not honoured, respondent No.1 filed civil suit for permanent injunction on 19.07.2006. On 03.02.2012 willful settlement/compromise arrived at between the parties i.e. Bal Kishan (respondent No.1) and Ram Kumar, Dalip, Neelam, Tejpal & Ashok (respondent Nos.2 to 5) before Mediator in Mediation & Conciliation Centre, District Courts, Gurgaon. On 11.02.2012 civil suit was disposed of in terms of compromise and judgment was passed. Last date to execute the sale deed as per judgment dated 11.02.2012 was 21.05.2012. On 23.05.2012, respondent No.1/Bal Kishan filed execution petition bearing No.26 dated 23.05.2012 to show his bona fide and willingness to honour the judgment dated 11.02.2012. In September, 2022 notice was issued to the judgment debtor Ram Kumar etc. by executing Court. On 03.01.2013 the suit property was sold by Ram Kumar (respondent No.2) to petitioner Deepak Chauhan and others vide registered sale deed No.23513 dated 03.01.2013. On

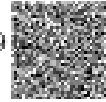


04.03.2014 Ram Kumar (respondent No.2) filed reply to execution petition No.26 of 2012 wherein, he never disclosed that he has sold suit property to Deepak Chauhan and others vide sale deed 03.01.2013. On 02.04.2016 application under Order XX Rule 6A for preparing decree was filed by respondent No.1/Bal Kishan/Decree Holder. On 16.05.2024 application filed by respondent No.1/Bal Kishan/decreed holder under Order XX Rule 6A CPC was allowed by learned Civil Judge, Jr. Division, Gurugram. To challenge the same, CR-7462-2025 is filed by Deepak Chauhan who is the purchaser of the suit property.

Contentions Raised By Learned Counsel For The Parties

3. Learned counsel for the petitioner contends that there is no compromise, agreement or a party refuses it, no consent decree can be passed. And learned Civil Judge, Jr. Division, Gurugram has wrongly allowed the application filed by respondent No.1. He, therefore, prays that the present civil revision be allowed.

4. Per contra, learned counsel for the contesting respondent no.1/decreed holder contends that learned Civil Judge Jr. Division Gurugram has passed a well-reasoned speaking order which requires no interference. He further contends that the petitioner has already filed civil suit bearing No.CS-2292-2025 of declaration with consequential relief of permanent injunction before learned Civil Judge, Sr. Division, Gurugram. Therefore, he cannot avail two separate remedies for the same relief. He further contends that the present petition is highly time barred and the same is filed after a



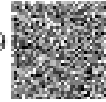
delay of about one and a half year from the date of passing of the order dated 16.05.2024. He, therefore, prays that the present petition be dismissed.

5. I have heard learned counsel for the parties and perused the whole file of this case with their able assistance.

6. Petitioner in the present revision petition is the third party/ purchaser of the property with respect to which the application filed by respondent No.1 for preparation of decree sheet under Order XX Rule 6A has been allowed.

7. Admittedly, the present civil revision petition challenging the order dated 16.05.2024 is filed after a delay of almost one and a half year. Petitioner himself is alleging himself to be purchaser of the suit property, whereas, respondent No.2/Ram Kumar who sold the suit property to the petitioner contested the application filed by respondent No.1 Bal Krishan/ decree holder under Order XX Rule 6A CPC for preparation of decree and the order dated 16.05.2024 was passed in his presence. Therefore, a specific query was put by this Court to the petitioner as to why order dated 16.05.2024 which was fully contested and was passed in presence of respondent no.2/Ram Kumar is not challenged by respondent No.2/Ram Kumar. Thereafter, another civil revision petition i.e. CR-8583-2025 was filed by Ram Kumar and others challenging order dated 16.05.2024 as well as decree of even date dated 16.05.2024 passed by learned Civil Judge, Jr. Division, Gurugram.

8. Admittedly, in CR-7462-2025, petitioner Deepak Chauhan has filed civil suit bearing No.CS-2292-2025 of declaration with consequential

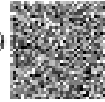


relief of permanent injunction before Ld. Civil Judge, Sr. Division, Gurugram. Prayer clause of the above civil suit is reproduced as under:-

“On the aforesaid ground, it is, therefore, prayed that a decree of declaration to the effect that the plaintiffs are co-owner in joint possession to the extent of suit land fully detailed and described in para no. 1 of the plaint and the defendants have no right, title or interest in the suit land in any manner whatsoever and also a decree for declaration to the effect that the judgment dated 11.02.2012 in civil suit no 266/19.07.2006 titled as "Bal Kishan Vs. Ram Kumar" and its decree dated 16.05.2024 prepared on the basis of the order dated 16.05.2024 are illegal, null, void inoperative ineffective and not binding on the rights, title and interest of the plaintiffs qua the suit land, in any manner whatsoever with consequential relief of permanent injunction restraining the defendants from execution and registering the sale deed on the basis of the above said illegal judgment dated 11.02.2012 and its decree sheet dated 16.05.2024.”

9. A bare reading of above referred to prayer clause shows that the petitioner has challenged order dated 16.05.2024 in the civil suit. Therefore, once the petitioner has already availed the remedy of filing the civil suit challenging order dated 16.05.2024 he cannot avail two remedies at the same time for the same relief. Further the present revision is filed after unexplained delay of almost one and a half years.

10. In view of the same, I do not find infirmity in order dated 16.05.2024 and the same is hereby upheld.



11. Accordingly, the present civil revision petition i.e. CR-7462-2025 is *dismissed*.

CR-8583-2025 (O&M)

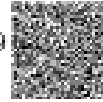
Ram Kumar and others Vs. Bal Kishan @ Ballu Ram and others

12. The present civil revision petition is preferred against judgment and decree dated 16.05.2024 as well as impugned decree of even dated 16.05.2024 passed by learned Civil Judge, Jr. Division, Gurugram, whereby, application under Order XX Rule 6A CPC for preparation of decree sheet based on compromise dated 03.02.2012 in a disposed of suit for permanent injunction was allowed.

Contentions Raised By Learned Counsel For The Parties

13. Learned counsel for the petitioner contends that there was no judgment passed on which a decree could be ordered to be prepared under Order XX Rule 6A CPC. He further contends that application was moved after a delay of 1500 days and without seeking condonation of delay. He, therefore, prays that the present petition be allowed and order dated 16.05.2024 passed by learned Civil Judge, Jr. Division, Gurugram be set aside.

14. Per contra, learned counsel for the respondent contends that a well-reasoned speaking order is passed by learned Civil Judge, Jr. Division, Gurugram. He further contends that the present petition is filed after huge and unexplained delay of one and a half years from the date of passing of order dated 16.05.2024. Further that the petitioner had every knowledge of order dated 16.05.2024 which was passed in his presence since he is respondent in the same, still there is no explanation as to why he has



-7-

challenged the same after a delay of one and a half years. Further that petitioner and respondent Nos.3 to 9 i.e. Deepak Chauhan and others are hand-in-glove and clearly in collusion. He, therefore, prays that the present petition be dismissed.

15. I have heard learned counsel for the parties and perused the whole file of the case with their able assistance.

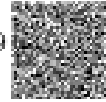
16. A perusal of the file shows that the petitioner has challenged order dated 16.05.2024 in the present petition after unexplained delay of about one and half years. The order was passed in his presence still there is no reason for approaching this Court after such a huge delay. Admittedly, when in CR-7462-2025 filed by Deepak Chauhan and others, the petitioner who was alleging himself to be purchaser of the suit property was asked as to why the seller has not challenged this order dated 16.05.2024, then only the present revision petition challenging order dated 16.05.2024 was filed. Further, the petitioner has challenged in the present civil revision decree dated 16.05.2024 passed by Civil Judge, Jr. Division, Gurugram for which the petitioner has an alternate remedy.

17. Since the present revision petition i.e. CR-8583-2025 is filed after unexplained delay of one and half years, therefore, the same is ***dismissed.***

CR-7202-2025 (O&M)

Deepak Chauhan and others Vs. Bal Kishan @ Ballu Ram and others

18. The challenge in the present revision petition is to order dated 16.09.2025 passed by Civil Judge, Jr. Division, Gurugram in execution



petition No.EXE-271-2024, whereby, the objections filed by the petitioner as third party objectors were dismissed.

Contentions Raised By Learned Counsel For The Parties

19. Learned counsel for the petitioner contends that the petitioners are bona fide purchasers of the suit property, therefore, they filed third-party objections which were wrongly dismissed by the learned Civil Judge, Jr. Division, Gurugram. He, therefore, prays that the present petition be allowed and order dated 16.09.2025 passed by Civil Judge, Jr. Division, Gurugram in execution petition No.EXE-271-2024 be set aside.

20. Per contra, learned counsel for the respondent No.1/Bal Krishan/deed holder contends that admittedly petitioner had purchased the suit property vide sale deed dated 03.01.2013, whereas, judgment in favour of respondent no.1/deed holder was passed on 11.02.2012, wherein, respondent No.2 was to execute the sale deed in his favour on or before 21.05.2012. He filed execution and during the pendency of execution petitioner, the suit property is very cleverly sold by Ram Kumar/respondent no.2 to the petitioners. He further contends that admitted case of petitioner is that the suit property is situated very near to their other property and they were having every knowledge about the litigation regarding the suit property. But despite that they had purchased the property during the pendency of execution petitioner. He further contends that it is settled proposition of law that the third-party who had purchased the property during the pendency of civil suit has no right to file objections and their purchase is hit by doctrine of lis pendens. He further contends that both petitioner and respondent

No.2/judgment debtor knowingly in collusion purchase and sold the suit property. He, therefore, prays that the present petition be dismissed.

21. I have heard learned counsel for the parties and perused the whole file for their able assistance.

22. A perusal of the file as well as sequence of events emerging from the facts of the present case reveals that the petitioner purchased the suit property on 03.01.2013 from judgment debtor/Ram Kumar during the pendency of execution proceedings before learned Civil Judge, Jr. Division, Gurugram. The petitioner therefore purchased the property with full awareness and failed to adhere the well established principle of *caveat emptor*. Such a purchase made during the pendency of execution proceedings also attracts the doctrine of *lis pendens*.

23. And a bare reading of the chronological facts and events further shows that the sale deed is dated 03.01.2013, whereas, the judgment on the basis of compromise is dated 11.02.2012, therefore, the subsequent purchaser of property i.e. petitioner herein would not be considered as bona fide purchaser. Therefore, a perusal of order dated 16.09.2025 shows that the same is well-reasoned and detailed and requires no interference by this Court.

24. In view of the same, CR-7202-2025 is **dismissed**.

25. Pending miscellaneous applications, if any, are also disposed of.

30.01.2026

Saahil

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

(SUDEEPTI SHARMA)
JUDGE