

CR-9132-2025(O&M) 1

2026:PHHC:022578



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-9132-2025(O&M)

Date of decision : 13.02.2026

Vijay Kumar and another

... Petitioners

Versus

Chand Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Arihant Jain, Advocate and
Mr.Kanish Jindal, Advocate
for the petitioners.

Mr. Deepak Aggarwal, Advocate
for respondent no.1.

Mr.P.K.S. Phoolka, Advocate
for LR's of respondent no.2.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India read with Section 115 CPC for setting aside the impugned order dated 21.11.2025 (Annexure P-6) passed by the Additional Civil Judge (Sr.Div.), Phul, in Execution Petition no.185 of 2024, vide which the application for stay of execution proceedings filed by the petitioners has been dismissed.

2. Learned counsel for respondent no.1-decree holder has submitted that in pursuance of the judgment and decree, sale deed has been



executed in favour of respondent no.1 and respondent no.1 has also taken possession and has submitted that the present petition has been rendered infructuous.

3. Learned counsel for the petitioners has submitted that the possession is still with the petitioners. It is also submitted that in pursuance of the liberty granted by the Co-ordinate Bench of this Court while deciding RSA-715-1994 on 29.04.2024, the present petitioners have filed the civil suit in which there is interim order of status quo with respect to nature, possession and title of suit property and it is submitted that the said interim order is in continuance till date.

4. During the course of arguments, a very fair stand has been taken on behalf of the learned counsel for the petitioners as well as learned counsel for contesting respondent no.1 and on the basis of consensus, the present revision petition is disposed of with the following directions / observations:-

i) Since it is the case of respondent no.1 that the sale deed has been executed in favour of respondent no.1 and the possession has been taken by respondent no.1, although the said fact is disputed by the petitioners, the Executing Court is directed to dispose of the execution petition no.185 of 2024 in accordance with the stand of respondent no.1 as nothing is to be done by respondent no.1 at this stage.

ii) It would be open to both the parties to raise all pleas



which are available to them in Civil Suit no.462 of 2025 and the trial Court is directed to decide the said civil suit independently after taking into consideration the evidence and documents on record after hearing both the parties. The disposal of the present revision petition would not be construed as an expression on the merits of the case and the trial Court would decide the suit independently.

iii) It would be open to either of the two parties to institute appropriate proceedings, after the said civil suit is finally decided, in case any cause arises to either of the two parties.

5. Pending application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

February 13, 2026.
Davinder Kumar

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