

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

119

2023:PHHC:097420

CR-5983-2018 (O&M)  
Date of decision: 31.07.2023

DARSHAN SINGH

..Petitioner

Versus

CHATINDER SINGH AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mohd. Yousaf, Advocate  
for the petitioner.

Mr. Kanwal Goyal, Advocate  
for respondent No.2.

**ANIL KSHETARPAL, J(Oral)**

1. As per the office report, notice issued to respondent No.1 has been received back with the report that he had refused to accept the summons.
2. In view of the aforesaid, he is proceeded ex parte.
3. The petitioner is a judgment debtor in a suit for grant of decree of declaration that was decreed on 04.11.2014, to the effect that the respondents are owner of house measuring 18 Marlas and 167 sq. ft. The trial Court granted a decree after finding that the defence of the petitioner has no substance. Thereafter, the respondents (decree holders) filed an application for executing the decree under Order XXI Rule 32 of the Code of Civil Procedure, 1908, while alleging that they have been dispossessed from the house after the decree was passed. The objection petition was filed by the petitioner (judgment debtor), which has been dismissed by the Executing Court.

4. This Bench has heard the learned counsel representing the

MOHD AYUB  
2023.08.02 17:44  
I attest to the accuracy and  
authenticity of this order/judgment.

5. The learned counsel representing the petitioner submits that the petitioner has no objection, if the possession of the property, which was purchased by the respondents through a registered sale deed dated 10.02.2010, is delivered to them. He submits that the property in possession of the petitioner is different from the property purchased by the respondents.

6. This Court has considered the submission of the learned counsel representing the parties.

7. At this stage, the only objection made by the petitioner has been dismissed. Further, as and when the warrants of possession are issued, the petitioner shall be at liberty to draw the attention of the Court to the sale deed and to request for the issuance of warrants of possession in consonance thereof.

8. With these observations, the revision petition is disposed of.

9. All the pending miscellaneous applications, if any, are also disposed of.

**July 31<sup>st</sup>, 2023**

*Ay*

**(ANIL KSHETARPAL)  
JUDGE**

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