



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

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CR-4889-2024 (O&M)

Date of Decision.:25.03.2025

Satish Kumar Singal

Petitioner

Vs.

Sham Lal Singla and Another

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ajay Aggarwal, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

On the last date of hearing, following order was passed in
CR-4889-2024:

“Petitioner is the decree holder before the Executing Court. Ejectment petition filed against respondents was allowed. Vacant possession of the demised premises was to be delivered to him. However, as certain goods belonging to the respondents are lying therein, the Court by way of impugned order dated 13.08.2024 (Annexure P-6) has directed to the decree holder either personally or through his representative/counsel to be present alongwith Bailiff to facilitate the issuance of warrants and to take possession of the articles allegedly lying in the premises on superdari. Learned counsel for the petitioner submits that petitioner decree holder is 77 years old person and he cannot be held responsible for taking articles lying in the premises on superdari. Notice of motion be issued to the respondents for 12.11.2024 with a direction that in case they fail to appear before this Court or to take possession of the articles lying in the demised premises, the Court will be compelled to direct the Executing Court to hand over the possession of those articles to the police, which will be responsible to hand over the same to the respondents with no responsibility of the petitioner-decree holder.”



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Notice issued to respondent No.1 received back duly served.
However nobody has turned up on his behalf.

Respondent No.2 is reported to have expired.

In view of the aforesaid facts and circumstances, when respondent No.1, despite being service has not come forward so as to take possession of the articles lying in the demised premises, the Executing Court is hereby directed to hand over the possession of the articles lying in the demised premises to the police which will be responsible to hand over the same to respondent No.1/LRs of respondent No.2 with no responsibility of the petitioner/deGREE-holder.

Executing Court is directed to make compliance of the said order.

Disposed of.

Pending application(s), if any, also stands disposed of.

**(DEEPAK GUPTA)
JUDGE**

March 25, 2025

Neetika Tuteja

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable | Yes/No |