



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

(119)

CR-5450-2025Date of Decision:-**13.08.2025**

SURINDER KAUR

... Petitioner

Versus

TARSEM LAL JNAGAL AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. S.P. Soi, Advocate and
Mr. Sahil Soi, Advocate for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The petitioner has filed this petition under Article 227 of Constitution of India for quashing of order dated 04.08.2025 (Annexure P-10) vide which his objection petition was dismissed by the learned Executing Court.

2. The petitioner alleges that the learned Court has not taken care of the fact that the petitioner is *bona-fide* purchaser of the property, which was not subject matter of the civil suit and sale certificate issued in favour of respondent No.1 is absolutely illegal.

3. Perusal of the impugned order clearly shows that the petitioner alleges that she purchased the property vide sale deed dated 26.03.2019 from one Pretty and the learned Executing Court has recorded observations in para No.5 of the impugned order, the relevant portion of which, reads as under:-

xxxxxx “So, from the above mentioned details, it is duly established that the suit property already stood sold to the applicant/DH Tarsem Lal on



02.12.2016 when he purchased the property in open auction. As such, the alleged vendor Pretty had got no ownership right to sell the property to objector Surinder Kaur on 26.03.2019 when the property already stood auctioned on 02.12.2016. Furthermore, the pleas taken by the present objector in the present objections have already been decided in the objections filed by one Pretty vide order dated 18.05.2018 and nothing has been placed on record to show that the said order was ever set aside by any higher court. So the order dated 18.05.2018 vide which objections filed by Pretty were dismissed has attained finality. This court being the executing court cannot go behind the Judgment and Decree and cannot adjudicate the matter afresh that stood already decided.”

4. It is clear that the property purchased by the objection-petitioner was sold to auction-purchaser in Court auction on 02.12.2016 and after that Pretty, the vendor of the petitioner has got no ownership right to sell the property and to execute sale deed in favour of petitioner and furthermore the objection petition filed by Pretty, predecessor-in-interest of the present petitioner already stood dismissed vide order dated 18.05.2018.

5. In view of the foregoing discussion, it is evident that the learned Executing Court has acted well within its jurisdiction and in accordance with the settled principles of law. There is no material irregularity or jurisdictional error apparent on the face of it that would warrant interference by this Court. The petitioner has failed to make out any cogent ground for setting aside or modifying the impugned order. Accordingly, finding no merit in the present petition, the same stands dismissed.

(VIRINDER AGGARWAL)
JUDGE

13.08.2025
Gaurav Sorot

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