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

CR-5691-2025

Date of Decision: 22.08.2025

Darshan Singh

..... Petitioner

Versus

The Chupki Co-operative House Building Society Ltd.

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vaibhav Sharma, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Article 227 of Constitution of India for setting aside the impugned order dated 03.07.2025 (Annexure P-5) passed by Ld. CJ(JD), Samana in case no. EXE/97/2019 having registration /filing date 10.12.2019 (Annexure P-2) titled as "The Chupki Coop Society Vs Darshan Singh" whereby objections-cum-reply dated 10.10.2023 (Annexure P-3) filed by the petitioner has been dismissed/rejected with a further prayer to stay the execution proceedings pending before learned CJ(JD), Samana.

2. Learned counsel for the petitioner submitted that the petitioner is the Judgment Debtor and the respondent is the Decree Holder and an award has been passed under the provisions of Cooperative Societies Act against the petitioner. He further submitted that objections were filed by him which have been dismissed by way of the impugned order dated 03.07.2025 (Annexure P-5) and submitted that a major portion of the decretal amount has already been paid by him and with regard to the remaining amount, the same can also be paid by him but his objections have been dismissed.



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3. I have heard the learned counsel for the petitioner and also perused the impugned order.

4. A perusal of the impugned order would show that it is undisputed that the petitioner is the Judgment Debtor and the respondent is the Decree Holder and an award was passed regarding which execution application has also been filed by the respondent-Decree Holder. It was the case of the petitioner-Judgment Debtor that he has paid the loan in installments and major portion of the loan has already been paid. Learned Executing Court has observed that this plea of the petitioner is itself sufficient to show that the petitioner-Judgment Debtor still has some loan amount due towards the decree holder. It was further observed by the learned Executing Court that the Court cannot go beyond the decree. The petitioner himself obtained the loan by mortgaging his property and he took the plea that the aforesaid property is his source of livelihood and he obtained loan from the Decree Holder by mortgaging his property, but the entire loan money has not been paid. In view of the aforesaid undisputed facts, the application filed by the petitioner has been dismissed.

5. After hearing the learned counsel for the petitioner, this Court is of the considered view that no illegality or perversity can be found in the order passed by the learned Executing Court and there is no scope of intervention in the revision petition filed by the petitioner. The petitioner who is the Judgment Debtor had admittedly taken a loan and the same is observed in the impugned order and even during the course of arguments before this Court, learned counsel for the petitioner has so stated that a major portion of the loan amount has already been paid by the petitioner and some of the remaining amount is still left and therefore, there is no ground available with the petitioner for



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seeking any intervention by this Court. Even otherwise also, the scope of the present revision petition is very limited.

6. Consequently, finding no merit in the present petition and the same is hereby dismissed.

22.08.2025

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

1. Whether speaking/reasoned:	Yes/No
2. Whether reportable:	Yes/No