



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

**116**

**CR No.2966 of 2025 (O&M)**

**Date of Decision :16.05.2025**

**Avtar Singh through Special Power of Attorney Balbir Singh**

**.....Petitioner**

**Versus**

**Gurdeep Singh and another**

**..... Respondents**

**CORAM: HON'BLE MR.JUSTICE VIKRAM AGGARWAL**

**Present : Mr. Umesh Kumar Kanwar, Advocate for the petitioner.**

**VIKRAM AGGARWAL, J. (Oral):**

The present revision petition assails the order 06.05.2025, passed by the Court of Additional Civil Judge (Sr. Divn.), Jagraon, vide which, third party objections filed by the petitioner were dismissed and warrants of possession were issued for 19.05.2025.

2. The facts, as emanating from the revision petition, are that respondent No.2-plaintiff (Gurpreet Singh) instituted a suit for possession of a house situated at Agwar Gujran-III, Tehsil Jaraon, District Ludhiana against respondent No.1-defendant (Gurdip Singh). The said suit was decreed vide judgment and decree dated 03.05.2018 (Annexure P-2), passed by the Court of Civil Judge (Jr. Divn.) Jagraon. Against the said judgment and decree, the defendant (Gurdip Singh) is stated to have filed an appeal which is, though pending, but no stay has been granted. The judgment debtor (Gurdip Singh) instituted objections during execution proceedings. The present petitioner also preferred objections (Annexure P-13), being a third party. The case set up by the present petitioner was that the petitioner was owner of property comprised



in khasra Nos. 765 and 766 and in the garb of executing the judgment and decree (ibid), his property was being sought to be included. The objections were opposed by way of reply (Annexure P-14), in which reference was made to another suit having been preferred by the present petitioner (Avtar Singh) as regards the same property which was dismissed on 31.07.2023. On merits, it was submitted that the plot purchased by Avtar Singh was situated in khasra numbers 765 and 766 whereas the house which was the subject matter of the judgment and decree (ibid) and consequently, the execution proceedings, was situated in khasra numbers 747, 748 and 762, therefore, objector (Avtar Singh) had no right to institute the objections.

3. The Executing Court rejected the objections filed by the judgment debtor on the ground that no stay was there in the appeal and the objections filed by the present petitioner were also dismissed by stating that plot of the petitioner was not affected by the execution of the judgment and decree, for, it is situated in different khasra numbers. This led the petitioner to file the instant revision petition.

4. I have heard learned counsel for the petitioner.

5. Learned counsel for the petitioner submits that in the garb of the judgment and decree dated 03.05.2018 (Annexure P-2), the decree holder is trying to interfere in the possession of the petitioner. Learned counsel for the petitioner has referred to the judgment and decree and other documents on record.

6. I have considered the submissions made by learned counsel for the petitioner and find the same to be devoid of merit.

7. Concededly, the plot of the petitioner is situated in khasra



numbers 765 and 766 whereas the plot which is the subject matter of the judgment and decree (ibid) and is situated in khasra numbers 747, 748 and 762. The warrant of possession has also been issued as regards the said plot. The executing Court rightly held, while dismissing the objections filed by the petitioner, that the plot of the petitioner was not affected by the execution proceedings and since he was not the owner of the property qua which the warrants of possession has been issued, he had no authority to challenge the same or to challenge the sale deed 07.05.2001, executed by the judgment debtor in favour of the decree holder.

8. I find absolutely no illegality or jurisdictional error in the order passed by the Executing Court warranting interference by this Court. The third party objections appear to have been instituted at the instance of the judgment debtor and have, therefore, been rightly dismissed.

9. In view of the aforementioned facts and circumstances, I do not find any merit in the present petition and the same is accordingly dismissed.

Pending application(s), if any, stand disposed of.

**(VIKRAM AGGARWAL)**  
**JUDGE**

**16.05.2025**

*Manoj Bhutani*

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