

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

116

CR-5257-2025**Date of Decision:07.08.2025**

Amit Bhatnagar

... Petitioner

Versus

Seema Bhatnagar and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AMARINDER SINGH GREWALPresent: Mr. Rajinder Singh Rana, Advocate
for the petitioner.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been filed by the petitioner under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 18.07.2025 (Annexure P-1) passed by the learned Civil Judge (Junior Division), Kurukshetra in Execution Petition No.68 of 2025 vide which the application under Order 1 Rule 10 CPC filed by the petitioner, has been dismissed.

2. Learned counsel for the petitioner submits that the petitioner and respondents No.1 to 4 are brother and sisters and respondent No.5 is their father. Respondent No.5-father executed a Will dated 03.07.2019 in favour of the petitioner, however, respondents No.1 to 4 after influencing respondent No.5, got executed a Will dated 20.08.2024 in their favour. Thereafter, they filed a suit for declaration and permanent injunction under the Specific Relief Act on the basis of aforesaid Will dated 20.08.2024 and obtained an award dated 28.10.2024 from the Court of learned Civil Judge (Junior Division), Kurukshetra on the basis of compromise deed entered into between respondents No.1 to 4 and respondent No.5. An Execution Application No.68 dated 01.04.2025 has been filed by respondents No.1 to 4 and when the petitioner came to know about filing of the execution application, he immediately moved an application under Order 1 Rule 10 CPC, which has been dismissed by the

learned Civil Judge (Junior Division), Kurukshetra in an illegal and unjust manner.

Hence, the revision petition.

3. Heard.

4. A perusal of the impugned order dated 18.07.2025 passed by the learned Civil Judge (Junior Division), Kurukshetra reveals that it was categorically observed in paragraph 5 of the said order that

5. In view of the aforesaid facts and circumstances and without going into merits of the case, the present petition is being disposed of with a direction to the learned Additional District Judge, Faridabad to decide the pending restoration application bearing APP No.169/2024 dated 15.02.2024 (Annexure P-4) as expeditiously as possible and preferably within a period of one month from today, in accordance with law.

(AMARINDER SINGH GREWAL)
JUDGE

August 07, 2025

Pankaj*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No