



In the High Court of Punjab and Haryana, at Chandigarh

Execution Second Appeal No. 28 of 2025 (O&M)

Date of Decision: 07.04.2025

Jaituni (Now Deceased) through her Legal Representatives

... Appellant(s)

Versus

M/s Brahamputra Buildcon Pvt. Ltd. and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Mazlish Khan, Advocate
for the appellant(s).

Anil Kshetarpal, J.

CM-3784-C-2025

1. In view of the prayer made in the application, which is supported by an affidavit, the same is allowed, subject to all just exceptions. The proposed legal representatives, named in para 2 of the application, are the Class-I heirs of appellant-Jaituni, who is stated to have died on 07.10.2023. They are permitted to be brought on record as the legal heirs of the appellant-Jaituni, for the purpose of prosecuting the present appeal.

CM-3785-C-2025

2. For the reasons stated in the application, the same is allowed and delay of 15 days in filing the appeal is condoned.

ESA-28-2025

3. Admittedly, the appellant before this Court has purchased the property after the decree was passed in favour of the decree holder for

possession by way of specific performance of the agreement to sell. Hence, the appellant cannot claim to be the bonafide purchaser. Both the Courts below have correctly dismissed the appellant's objection petition.

4. Keeping in view the aforesaid facts, no ground is made out to interfere with the concurrent findings of facts arrived at by both the Courts below. Hence, the present appeal is dismissed.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

April 07, 2025
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No