



CR-5338-2025 (O&M)

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

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**CR-5338-2025 (O&M)
Decided on :- 19.08.2025**

Arun Gupta

....Petitioner

VERSUS

Raj Kumar and Others

...Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Rajesh Sethi, Advocate for the petitioner.

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MANDEEP PANNU J.

1. The present civil revision under Article 227 of the Constitution of India has been filed by the petitioner/Judgment Debtor (JD) challenging the impugned orders dated 7 March 2025 and 25 July 2025 passed by the learned Additional Civil Judge (Senior Division), S.A.S. Nagar, Mohali, in Execution Petition titled Raj Kumar and Others vs. Manjeet Singh and Others.
2. The principal challenge is to the order dated 7 March 2025, which was passed on an application moved by Meenakshi Gupta (Defendant No. 3 in the suit) praying for stay of execution proceedings in respect of her alleged 49% share in property No. D-73, Industrial Area, Phase-V, Mohali. She asserted that she was not a Judgment Debtor in terms of the decree dated 19 May 2015, and had no objection to execution being carried out in respect of 51% share belonging to JD/Defendant No. 1 Manjeet Singh. It was further submitted that she had already instituted Civil Suit No. 165 of 2019 for declaration of her ownership and possession of the said 49% share, in which proceedings were stayed by this Court in CR No. 2944 of 2021 vide order dated 30 November 2021.



3. The Executing Court, after hearing both sides, dismissed her application. It was held that the decree dated 19 May 2015, as affirmed up to the Hon'ble Supreme Court, entitled the decree holders to possession of the entire suit property by way of specific performance of the agreement to sell dated 22 September 2009, and that the issue of Meenakshi Gupta's alleged share had already been considered and rejected during the original proceedings. It was further held that the pendency of her separate civil suit, in which only the trial court proceedings stand stayed, did not operate as a bar to execution of the present decree.

4. It is relevant to note that the present petitioner, Arun Gupta, was not a party to the said application filed by Meenakshi Gupta. Accordingly, he has no locus standi to challenge the order dated 7 March 2025. Even otherwise, there is no illegality or material irregularity in the said order warranting interference in revisional jurisdiction.

5. As regards the impugned order dated 25 July 2025, the grievance of the petitioner is that his applications dated 21 February 2025 and 24 March 2025 remain pending adjudication, yet the Executing Court has proceeded further in execution without deciding them. A perusal of the record confirms that both applications are still pending consideration.

6. In view of the above, while the challenge to the order dated 7 March 2025 fails and the same is upheld, the order dated 25 July 2025 is modified to the extent that the learned Executing Court shall first decide the petitioner's pending applications dated 21 February 2025 and 24 March 2025 by passing a speaking order before proceeding further with the execution.



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7. The petition is disposed of in the above terms.
8. Pending application(s), if any, also stand disposed off.

August 19, 2025
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(MANDEEP PANNU)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No