



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

EFA No.2 of 2017(O&M)

Date of Order:03.05.2025

M/s Saluja Industries, Guruharsahai

.Appellant

Versus

Punjab State Civil Supplies Corporation Limited, Chandigarh  
and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Khunger, Advocate  
Mr. Arpit Dua, Advocate  
for the appellant.

Mr. Aman Sharma, Advocate  
for respondent nos.1 and 2.

Mr. Digvijay Nagpal, Advocate  
for respondent no.7.

**ANIL KSHETARPAL, JUDGE (Oral)**

**CM-335-CI-2025**

1. For the reasons stated in the application which is supported by an affidavit, the application is allowed and Sh. Suresh Kumar son of Janak Raj, resident of Street No.2, Mandi Guru Harsahai, District Ferozepur, is impleaded as respondent no.7.

2. The amended memo of parties is taken on record.

3. CM stands disposed of.

**MAIN**

4. This execution first appeal has been filed by a third party objector in an execution petition filed by PUNSUP, which was dismissed by the Additional District Judge, Ferozepur on 03.02.2017.



5. On 10.02.2025, after hearing the learned counsel representing the parties, the following order was recorded:-

*“Learned counsel for the appellant submits that originally the families of Sh. Ishwar Dass and Sh. Bhagwan Dass sons of Sh. Ramditta Mal were partners in two partnership firms namely M/s Shobha Mal Ramditta Mal and Gurugram Rice Mills. In the year 1972, Sh. Ishwar Dass died. He left behind Sh. Ravi Kant Saluja, Sh. Vijay Kumar and Sh. Avinash Chander as his sons.*

*The family of Sh. Ishwar Dass constituted a partnership firm i.e. M/s Saluja Rice Mills, whereas, the children of Sh. Bhagwan Dass formed a partnership firm i.e. Saluja Industries and purchased the property measuring 3 kanal and 12 marlas vide sale deed dated 23.04.1996 (Annexure A-11) from Sh. Pawan Kumar and Sh. Ashwani Kumar sons of Sh. Yaad Ram, residents of Mandi Guruharsahai, Tehsil and District Ferozepur.*

*An arbitration award for recovery of the amount has been passed against M/s Saluja Rice Mills and its partners namely Sh. Ravi Kant Saluja, Sh. Vijay Kumar and Sh. Avinash Chander, however, the properties of M/s Saluja Industries, which is a separate partnership firm and no way connected with M/s Saluja Rice Mills, has been attached and sold in Court auction in favour of Sh. Suresh Kumar son of Sh. Chanak Raj.*

*Learned counsel representing the respondents pray for some time to have clear instructions before assisting the Court.*

*The appellant’s counsel is also requested to examine the requirement of impleading auction purchasers as a party.*

*List on 05.03.2025, in the urgent list.*



*Interim order shall continue to operate till the next date of hearing.”*

6. The learned counsel representing the appellant has drawn the attention of the court to two printing errors in the order dated 10.02.2025. The first error is in the 4<sup>th</sup> line of the order and the second error is in paragraph no.3. Instead of Gurugram Rice Mills, the correct words are Guru Ram Dass Rice Mills, whereas Suresh Kumar is son of Janak Raj and not Chanak Raj.

7. Once again the learned counsel representing the parties have been heard.

8. The appellant's counsel has brought to the notice of the court that the partners of Saluja Rice Mills and Saluja Industries, though related to each other but belong to separate families. Initially, there were two partnership firms, one M/s Shobha Mal Ramditta Mal and the second M/s Guru Ram Dass Rice Mills. M/s Shobha Mal Ramditta Mal fell to the share of Ishar Dass and his children, whereas the second firm M/s Guru Ram Dass Rice Mills fell to the share of Bhagwan Dass and his sons.

9. Subsequently, the children of Bhagwan Dass constituted Saluja Industries, whereas children of Ishar Dass constituted Saluja Rice Mills and the property in dispute was purchased by Saluja Industries who was not party to the arbitration or award passed. It is claimed that on 18.11.2016, in public auction, 3 kanals and 12 marlas land was purchased by Saluja Industries, Guruharsahai vide sale deed dated 23.04.1996.

10. Per contra, the learned counsel representing the respondents submits that there was inter-se litigation between the parties in civil suit no.CIS-CS/914/2013 for grant of decree of declaration in which Bhagwan



Dass and his children stated that the land comprised in Rect. No.211, Killa No.7(3-12) fell to the share of legal heirs of Ishar Dass.

11. This court has considered the submissions of the learned counsel representing the parties.

12. At this stage, it would not be appropriate to express any final opinion. These matters at the first instance are required to be considered by the Executing Court.

13. Keeping in view the aforesaid discussion, the impugned order passed by the Executing Court on 03.02.2017, is set aside with a direction to decide afresh after considering all aspects of the matter uninfluenced by the impugned orders passed by the court.

14. The parties through their counsel are directed to appear before the Executing Court on 26.05.2025.

15. Till the decision of the objection petition, the rights of respondent no.7-auction purchaser, shall not be disturbed, however, the same shall be subject to the ultimate decision to be taken by the Executing Court.

16. All the pending miscellaneous applications, if any, are also disposed of.

**(ANIL KSHETARPAL)**  
**JUDGE**

**May 03, 2025**

**nt**

**Whether speaking/reasoned** : **Yes/No**  
**Whether reportable** : **Yes/No**