





Second Appeal before this Court. *Ad-interim* relief was granted to Saudagar Singh vide order dated 14.02.1992 in RSA No.918 of 1990. The RSA was finally dismissed vide judgment dated 30.01.2018. Special leave petition filed by the petitioners against the same stands dismissed by Supreme Court.

3 Execution application on the basis of decree dated 24.12.1993 was filed by respondent No.1. The petitioners who are sons of Judgment debtor-Saudagar Singh are resisting the execution and filed objections. One set of objections stands dismissed vide order dated 03.01.2025. The ground pleaded is that of limitation.

4 Counsel for the petitioners does not dispute that at the time the decree was passed in favour of Geju Ram, the dispossession of Saudagar Singh had already been stayed in RSA No.918 of 1990 vide order dated 14.02.1992. The RSA could be decided only on 30.01.2018.

5 In view thereof, this Court finds that no fault can be found with the order passed by the Executing Court dismissing the objections filed by the judgment debtors-petitioners holding that the execution petition is well within the period of limitation.

6 The other objection is regarding the averment made in the caveat petition filed by the decree holder claiming to be in possession. The same has been explained by the decree holder by filing reply to the application as a typographical error and mistake of the counsel. Merely for a wrong assertion made in caveat, the execution of decree cannot be derailed.

7 In view thereof, this Court does not find any reason to interfere in the impugned orders exercising revisional jurisdiction under Article 227 of the Constitution of India.

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8 Resultantly, the revision petition is ordered to be dismissed.

( PANKAJ JAIN )  
JUDGE

23.05.2025

*Pooja Sharma-I*

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No