



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

(133)

CR-6226-2025

Date of Decision:-08.09.2025

Inderjeet Singh and Others

.....Petitioners

Versus

Tarlok Singh (since deceased) through his LRs

.....Respondent

**CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL**

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Present: Mr. Deepak Gupta, Advocate,  
for the petitioners.

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**AMARINDER SINGH GREWAL, J. (Oral)**

1. The present revision petition has been filed under Article 227 of the Constitution of India seeking to set aside/quashing the impugned order dated 01.08.2025 (Annexure P-1) passed by the learned Civil Judge (Junior Division), Guruharsahai, District Ferozepur, whereby the objections preferred by the petitioners/JDs in the execution proceedings were dismissed.

2. Brief facts of the case are that Tarlok Singh, the grandfather of the respondents, had filed a civil suit for recovery of Rs.10,03,000/- (i.e. ₹8,50,000/- as principal amount and ₹1,53,000/- as interest) against petitioner No.1 – Inderjeet Singh, on the basis of a pronote dated 20.01.2006. The said suit has been decreed by the learned Civil Judge (Senior Division), Faridkot, vide judgment and decree dated 29.04.2010. In pursuance thereof, the decree holders/respondents initiated execution proceedings. During the said proceedings, property belonging to the petitioners measuring 4 kanals 4 marlas was put to auction and was purchased by the decree holder himself for Rs.5,25,000/-, there



being no higher bidder. The said bid amount was duly adjusted towards the decretal amount and sale was confirmed in favour of the decree holder.

3. An application under Order 21 Rule 37 CPC filed by the decree holder for issuance of conditional warrants of arrest of the JD was dismissed. Consequently, the execution application itself was dismissed being partly satisfied vide order dated 08.11.2024. While passing the order dated 08.11.2024, the executing Court observed that the decree holder would be at liberty to file a fresh execution petition in case he finds any other property relating to the judgment debtor, so that remaining decretal amount can be recovered from other property of the judgment debtor.

4. Learned counsel for the petitioners-JDs submits that since the decree was passed on 29.04.2010, the period of 12 years' limitation for execution expired on 29.04.2022. It is submitted that once the execution application was decided on 08.11.2024, no fresh execution could have been entertained beyond limitation. It is argued that the executing Court lacks power to extend the period of limitation indefinitely and, therefore, the impugned order dated 01.08.2025, dismissing their objections, is legally unsustainable.

5. I have heard learned counsel for the petitioners and carefully perused the paper book.

6. In view of the order proposed to be passed, notice is not being issued to respondent as it would delay the proceedings besides entailing additional expenses to the respondent.

7. A perusal of the record reveals that while disposing of two applications, namely – (i) for confirmation of sale, and (ii) under Order 21 Rule 37 CPC – the learned Executing Court, vide order dated 08.11.2024, dismissed the execution as partly satisfied, but expressly reserved liberty to the decree



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holder to file a fresh execution petition in future, in case he finds any other property relating to the judgment debtor, so that remaining decretal amount can be recovered from other property of the judgment debtor.

8. Significantly, the order dated 08.11.2024 was never challenged by the petitioners/JDs and has thus attained finality. Once such a liberty was specifically reserved by the executing Court, the plea now raised that the Court could not have extended time or entertained fresh execution cannot be accepted.

9. The argument regarding limitation is also misconceived. The pendency of earlier execution proceedings till 08.11.2024 would be a relevant factor while computing limitation for subsequent execution, and the question of limitation has already been dealt with while granting liberty to file fresh execution. The petitioners cannot be permitted to re-agitate the same issue at this stage, particularly when they failed to challenge the said order at the appropriate time. Thus, the learned Civil Judge (Junior Division), while dismissing the objections of the petitioners/JDs vide impugned order dated 01.08.2025, committed no illegality or perversity warranting interference under Article 227 of the Constitution of India.

10. For the reasons recorded above, the present revision petition is found to be devoid of merit and is hereby **dismissed**, without commenting upon the merits of the case.

11. All pending application(s), if any, stand disposed of accordingly.

(AMARINDER SINGH GREWAL)  
JUDGE

08.09.2025  
*Shubham*

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No