



CR-6189-2025

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

Sr. No.165

CR-6189-2025

Date of Decision: 08.09.2025

GURVINDER SINGH

...Petitioner

Versus

HARJIT SINGH AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sunny K. Singla, Advocate for the petitioner.

ARCHANA PURI, J. (Oral)

Challenge in the present revision petition is to the order dated 06.08.2025, passed by learned Executing Court, whereby an application under Order 21 Rule 66 CPC, filed by respondent No.1-Decree Holder, was allowed.

Heard.

Keeping in view the reasons to follow, this Court does not deem it appropriate to issue notice to the contesting respondent.

As culled out from the paperbook, suit for recovery of an amount of Rs.6,00,000/-, together with the interest, to the extent of Rs.1,18,000/-, was decreed, vide judgment dated 30.01.2019. On query by this Court, it is submitted by the counsel for the petitioner that an appeal was filed to assail the aforesaid judgment of recovery and the same was also dismissed, though no document, as such, is coming on record, with regard to disposal of the appeal. Anyways, execution was filed at the instance of respondent No.1-Harjit Singh, Decree Holder, for seeking recovery of decretal amount, together with costs of the suit and execution, total



amounting to Rs.9,06,376/-. Being aggrieved by the order dated 20.01.2024, whereby the objections filed by the petitioner-Gurvinder Singh, Judgment Debtor, were dismissed, he had filed the civil revision i.e. CR-2028-2024, which was decided on 09.07.2024, copy whereof is Annexure P-8. In the said order, this Court had observed about the necessity of filing of an application under Order 21 Rule 66 CPC and as such, a direction was given to file said application. In consonance with the aforesaid order dated 09.07.2024, an application under Order 21 Rule 66 CPC was filed by respondent No.1-Harjit Singh. After seeking reply to the said application, same was allowed vide the impugned order dated 06.08.2025.

In the application under Order 21 Rule 66 CPC, it was categorically mentioned as hereingiven:-

“XXXX XXXX XXXX XXXX
 4. That as per knowledge of the D.H. the land to the extent of ½ share out of total land measuring 94 Bighas 8 Biswas bearing Khewat No.1/1, Khatauni No.1, Khasra No.976/6-5, 98/5-15, 99/6-8, 124/8-0, 125/8-15, 126/3-15, 128/8-8, 129/3-12, 451/4-5, 452/6-14, 453/5-5, 454/5-5, 455/6-18, 456/6-1, 1153/1-5, 1517/127/5-9, 1519/130/2-8 as per Jamabandi for the year 2019-20 situated at Village Jhuner, Tehsil Ahmedgarh, Distt. Malerkotla fully mentioned in the execution, is free from all encumbrance.
 5. That the land of property of J.D. under attachment is sufficient for realization of decretal amount of the D.H.
 XXX XXXX XXXX XXXX”

However, in the reply, it was asserted that the decree is only for an amount of Rs.9,06,376/-, and the market value of the land of the petitioner-Judgment Debtor, is Rs.10,00,000/- per bigha and therefore, sale of one bigha land is sufficient, for the claim of the Decree Holder.



On this account, it is submitted by the counsel for the petitioner that the application is not fulfilling the provisions of Order 21 Rule 66 CPC. On query by this Court, it is pointed out by counsel for the petitioner that approved collector rate of village, where land of the petitioner is situated i.e. Jhuner, is at Annexure P-12, which states about the approved rate per acre, for the year 2024-25. Considering the rates, as given therein, it is pertinent to mention that the extent of share of land of the petitioner, as evident in paragraph No.4 of the application, is 47 bighas and 4 biswas. Certainly this extent of land is much more than the approved collector rate, to satisfy the decretal amount. However, the same had not been considered by learned Executing Court, while passing the impugned order.

In view of the aforesaid fact situation, the impugned order is hereby set aside with a direction to learned Executing Court, to adjudicate on the application under Order 21 Rule 66 CPC afresh, while taking into consideration the approved rate of land. In the light of the same, learned Executing Court is hereby directed to recall the order, with regard to sale of the land of the petitioner-Judgment Debtor, till disposal of the application under Order 21 Rule 66 CPC, afresh.

In view of the aforesaid terms, the present revision petition stands disposed of.

08.09.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No