

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

109

2025:PHHC:032380



**ESA-22-2018 (O&M)
Date of decision: 07.03.2025**

HARPAL SINGH TAKKAR AND ANR

..Appellants

Versus

JAIDEEP VERMA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parveen Chauhan, Advocate
for the appellants.

Mr. Namit Gautam, Advocate
Mr. Himanshu Chawla, Advocate
Ms. Ishita Negi, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

1. This execution second appeal has been filed by the appellants claiming to be bonafide purchasers. Their objection petition has been dismissed by the Executing Court, which in appeal has been affirmed by the First Appellate Court. It is evident that the appellants are claiming to have purchased the property from Smt. Kiran Devi vide sale deed dated 12.02.2001. In a previous round of litigation, the appellants were defendants No.4 and 5. It was held that defendant No.4 and 5 have not acquired any right in their favour on the basis of sale deed dated 12.02.2001.

2. The operative part of the judgment passed by the learned District Judge, Ropar, on 13.10.2006, is extracted as under:-

“In view of what has been discussed above, the appeals filed by defendants No.1 and 2 as well as defendants No.4 and 5 fail and the same are ordered to be dismissed and the judgment and decree passed by the learned trial Court is modified that defendant No.1 was not the co-owner to the extent of 1/6th share and, therefore, defendants No.4 and 5 have not acquired any right in their favour on the basis of sale deed dated 12.02.2001 executed by



defendant No.1 in favour of defendants No.4 and 5. Defendants No.4 and 5 are restrained from alienating any part of the suit property or demolishing the house in dispute. Decree sheet be drawn. File of the trial Court alongwith a copy of this judgment be sent back and appeal files be consigned to the Record Room. A copy of this judgment be placed in the appeal filed titled "Harpal Singh etc. Vs. Charanjit Kaur etc. (No.112 of 22.11.2005)."

3. Keeping in view the aforesaid discussion, no ground to interfere is made out.
4. Dismissed accordingly.
5. All the pending miscellaneous applications, if any, are also disposed of.

March 07th, 2025

Ayub

**(ANIL KSHETARPAL)
JUDGE**

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