



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

CR-2262-2025

Date of decision : 21.04.2025

Prem Kumar (since deceased) through his legal heir

... Petitioner

Versus

Roshan Lal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Sukhandeep Singh, Advocate
for the petitioner.

Mr.Brijender Kaushik, Advocate
for respondents no.1 and 2.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 18.03.2025 (Annexure P-1) passed by the Civil Judge (Sr.Div.), Ambala, vide which the application of the petitioner filed under Order 9 Rule 7 CPC dated 24.03.2023 for setting aside the ex-parte order dated 04.08.2022 has been dismissed.

2. On 08.04.2025, this Court was pleased to pass the following order:-

*“Present:- Mr. Sukhandeep Singh, Advocate, and
Ms. Somya Goyal, Advocate
for the petitioner.*



Inter alia, contends that the petitioner in the present case only wishes to join the execution proceedings from the stage at which the same is on the date when the present petition is decided. It is submitted that the petitioner would not file any objection nor would delay the execution proceedings in any manner and only wishes to oversee the said proceedings. It is submitted that the petitioner is also ready to pay the litigation expenses to respondents No.1 and 2.

Notice of motion be issued to respondents No.1 and 2 only for 21.04.2025.

Liberty is granted to the petitioner to serve respondent No.1 and 2 through dasti process as well as through the counsel appearing for them before the Executing Court.

Petitioner as undertaken before this Court would bring two demand drafts of Rs.10,000/- each (total Rs.20,000/-) in the name of respondents No.1 and 2 on the next date of hearing.

It is made clear that in case the said demand drafts prepared in the name of respondents No.1 and 2 are not produced by the petitioner on the next date of hearing, then, the present petition would be liable to be dismissed.

To be taken up in the urgent list.

April 08, 2025”

3. Learned counsel for the petitioner in compliance to the said order has brought two demand drafts of an amount of Rs.10,000/- each in the name of the respondents no.1 and 2, which has been handed over to learned counsel for respondents no.1 and 2, who has re-affirmed the said fact.

3. Learned counsel for the respondents no.1 and 2 has stated that even the sale deed has been executed on 17.04.2025 and has submitted that



in case the LR of the petitioner i.e. Ram Chander is permitted to join the proceedings, then he be bound by the stand taken on his behalf on 08.04.2025 before this Court to the effect that he would not file any objection nor would delay the execution proceedings in any manner.

4. Keeping in view the above said facts and circumstances and the fair stand taken on behalf of the petitioner and respondents no.1 and 2, the present petition is disposed of by modifying the order dated 18.03.2025 to the limited extent that the LR of the petitioner i.e. Ram Chander would be permitted to join the said proceedings only to oversee the proceedings and would not be permitted to file any objections nor would delay the execution proceedings in any manner as has been undertaken on behalf of the petitioner on 08.04.2025.

(VIKAS BAHL)
JUDGE

April 21, 2025.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No