



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

133

Civil Revision No.429 of 2025

Date of decision :-23.01.2025

Nirbhai Singh

.....Petitioner

Versus

**The Land Acquisition Collector-cum-Sub Divisional Magistrate Tapa,
District Barnala**

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Hitesh Verma, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for issuing necessary direction to the learned Civil Judge (Jr. Divn.) Barnala to dispose of the Execution Application dated 23.1.2024 bearing No.Exe.22 of 2024, registered on 01.2.2024 (Annexure P-2) moved by the petitioner for execution of judgment and decree dated 24.8.2023 (Annexure P-), expeditiously.

Learned counsel for the petitioner submits that the plaintiff/petitioner had filed the suit for mandatory injunction with consequential relief of permanent injunction with regard to the suit property, detailed in the head note of the suit and also detailed in the head note at page 14 of the paper book. Due to non-appearance, the respondent was proceeded ex-parte; and the learned trial Court vide ex-parte judgment and decree dated 24.8.2023 (Annexure P-1) decreed the suit in favour of the petitioner along with interest amount. Learned counsel submits that despite passing of decree, the respondent/defendant/Judgement Debtor did not comply with the same. As such, the petitioner was constrained to move



the Execution Application dated 23.1.2024 (Annexure P-2). Learned counsel submits that the petitioner/Decree Holder is an old man who is being denied the fruits of the decree as, the Execution Petition has been adjourned as many as 14 times and is still pending for 31.1.2025. Learned counsel submits that at this stage the petitioner would be satisfied if direction is issued to the learned Executing Court/Civil Judge (Jr. Divn.) Barnala, to consider and take a final decision on the Execution Application (Annexure P-2) in a time bound manner.

Notice of motion.

Mr. Manmeet Singh Teji, AAG Punjab accepts notice on behalf of respondent-State and submits that he has no objection in case the prayer made by learned counsel for the petitioner is accepted at this stage

After hearing learned counsel for the parties, without going into the merits of the present petition, the same is **disposed of** with a direction to learned Executing Court/Civil Judge (Jr. Divn.) Barnala, to decide the Execution Application (Annexure P-2), in accordance with law, within a period of six months from the date of receipt of certified copy of this order.

Pending application(s), if any, shall stands disposed of.

January 23, 2025

Vijay Asija

(NIDHI GUPTA)

JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No