

(2025) 12 P&H CK 0046

Punjab And Haryana HC

Case No: Civil Revision No. 272 Of 2023(O&M)

Jagdish Jakhar And Another

APPELLANT

Vs

Vishan Dass (Deceased) Through
His Legal Heirs And Others

RESPONDENT

Date of Decision: Dec. 5, 2025

Acts Referred:

- Constitution Of India, 1950-Article 227

Hon'ble Judges: Vikas Bahl, J

Bench: Single Bench

Advocate: Vikram Singh, Ishnoor Singh, Abhilaksh Grover

Final Decision: Dismissed

Judgement

Vikas Bahl, J

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 06.12.2022 (Annexure P-7) passed by the Civil Judge (Jr.Div.), Gurugram vide which the objections filed by the petitioners has been disposed of.

2. Learned senior counsel for the petitioners has submitted that the petitioners had purchased 400 square yards property vide registered sale deed dated 19.06.2000 from Vishan Dass. It is further submitted that in the execution proceedings, the LRs of Vishan Dass had suffered a statement that they would not take possession of the aforesaid property measuring 400 square yards which was purchased by the petitioners from the father of the decree holder. It is submitted that it is the case of the petitioners that the respondents have taken possession of the same.

3. Learned counsel appearing for the LRs of the respondent no.1 has submitted that the respondents had not taken the possession of 400 square yards and have taken possession in accordance with the decree in their favour which is with respect to the agricultural land.

4. Learned counsel for the petitioners has submitted that in view of the same, the petitioners be permitted to withdraw the present petition with liberty to institute appropriate proceedings in accordance with law to enforce their rights.
5. Learned counsel for the LRs of respondent no.1 has submitted that in case any such proceeding is instituted, liberty be also granted to the respondents to raise all pleas which are available to them.
6. In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.
7. In case any fresh proceeding is instituted by the petitioners, it would be open to both the parties to raise all pleas, in accordance with law.
8. Pending application, if any, stands disposed of in view of the abovesaid order.