

In the High Court of Punjab and Haryana at Chandigarh

132

Civil Revision No. 164 of 2014

Date of decision: 14.1.2014

Harjit Singh and another

.....petitioners

Versus

Lachhman Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Amit Jain, Advocate
for the petitioners.

SABINA, J.

This petition has been filed challenging order dated 13.12.2013, passed by the Executing Court.

I have heard learned counsel for the petitioners and have gone through the record available on the file carefully.

Respondents had filed the suit for partition. During execution, it transpired that the property in question could not be partitioned by metes and bounds and it was ordered to be auctioned. Report from the Local Commissioner qua the value of the property was sought and the Local Commissioner assessed the value of the property as ₹ 50,39,140/-, whereas, the petitioners were ready to purchase the property for ₹ 41,00,000/- after deducting their own share. Although, the petitioners have not accepted the report submitted by the Local Commissioner but the learned Executing Court rightly ordered that the property in dispute be sold in open

auction in view of the value assessed by the Local Commissioner. Petitioners are not ready to deposit the value of the property as assessed by the Local Commissioner but had rather objected to the report submitted by the Local Commissioner. The order passed by the Executing Court is for the benefit of the parties. Hence, no ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

January 14 , 2014
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