

(2013) 09 P&H CK 0132
In the Punjab And Haryana At Chandigarh
Case No : Civil Revision No. 3689 of 1994

Kamla Devi

APPELLANT

Vs

Mehnga Ram and Others

RESPONDENT

Date of Decision : 19-09-2013

Acts Referred:

Citation : (2013) 09 P&H CK 0132

Hon'ble Judges : L.N. Mittal, J

Bench : Single Bench

Advocate : Manish Dadwal, for Mr. K.S. Dadwal, for the Appellant; Rajiv Joshi, Advocate for Respondent Nos. 3 and 4, for the Respondent

Final Decision : Dismissed

Judgement

L.N. Mittal, J.—I have heard counsel for the parties regarding maintainability of the instant revision petition which has been filed u/s 115 of

the CPC (in short, CPC) assailing order dated 12.8.1994 passed by the executing court thereby allowing objections preferred by respondents no.

2 to 4 under Order 21 Rule 58 CPC against attachment of land made in the execution petition instituted by the petitioner-decree holder against

respondent no. 1 judgment debtor. In view of Order 21 Rule 58 (4) CPC, the impugned order has the same force and is subject to the same

conditions as to appeal or otherwise as if it were a decree. Consequently, impugned order having force of decree is, therefore, appealable. The

instant revision petition is, therefore, not maintainable.

2. Accordingly, without going into merits of the case, the instant revision petition is dismissed as not maintainable with liberty to the petitioner to file

appeal against impugned order.