

(2013) 09 P&H CK 0503
In the Punjab And Haryana At Chandigarh
Case No : C.R. No. 5191 of 2009 (O and M)

Malkiat Kaur

APPELLANT

Vs

Ram Kishan and Others

RESPONDENT

Date of Decision : 04-09-2013

Acts Referred:

Citation : (2014) 173 PLR 572

Hon'ble Judges : Laxmi Narain Mittal, J

Bench : Single Bench

Judgement

L.N. Mittal, J.

CM No. 1349-CII of 2011

1. The application is allowed and Annexure P-9 is taken on record, subject to all just exceptions.

Main Case

Objector-Malkiat Kaur has filed this revision petition under Article 227 of the Constitution of India impugning order dated 31.07.2009 passed by the executing Court thereby dismissing third party objections Annexure P-2 preferred by the petitioner in execution petition, which has been instituted by respondents No. 1 and 2/decree holders against respondent No. 3-judgment debtor. I have heard counsel for the parties regarding maintainability of the revision petition and perused the case file.

2. In view of Order 21 Rule 103 of the Code of Civil Procedure, impugned order has the same force as a decree and is subject to the same conditions as to appeal or otherwise. Consequently, the impugned order is appealable and therefore, the instant revision petition is not maintainable. Accordingly, without going into merits of the case, the instant revision petition is dismissed as not maintainable, with liberty to the petitioner to prefer appeal against the impugned order of the executing Court.