

CA-81-2026

Iqbal Singh & Another Vs. Jaspal Kaur.

Present: Sh. NK Garg Advocate for appellants.

Case file put up before me today as an application has been filed by the appellants to take up the appeal and to restrain the respondents from taking physical possession of the land comprised in khewat/khatauni No. 173/349 and for restraining the respondents from transferring the said land.

Heard. Entry be made in NJDG. Since, urgency has been cited by the learned counsel for the appellants, therefore, the proceedings are taken up today. The learned counsel has drawn the attention of this court on the relief granted by the Ld. Trial Court in the impugned judgment dated 23.03.2026. As per the same, the learned Trial Court has decreed the suit for specific performance of the agreement to sell dated 26.12.2018 and at the same time granted alternate relief of recovery as well.

It is argued that in the execution proceedings, the sale of immovable property which is different from the suit property has been carried out and it is apprehended that now possession of the land which is not the subject matter of the suit would be delivered to the decree-holder in the execution proceedings. Taking into consideration the facts brought on record by the learned counsel for the appellant, the Ld. Executing Court in Exe-74-2026 is directed not to pass any further order pertaining to transfer of possession of the land in the execution proceedings. The case is adjourned to 02.09.2026 i.e. the date already fixed. Notice of the said application be also served upon the respondent on filing of copy of application for the date fixed.

Date of Order: 11.08.2026

*Jyoti, (Stenographer-II)**

(Gagandeep Singh Garg)
ADJ/AA/MACT/ASJ/JSC,
Bathinda
(UID No. PB00295)