

**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**

S.No. 244

CR-2518-2026 (O&M)

Date of Decision : 20.03.2026

Hakam Singh

... Petitioner

Versus

Food Corporation of India

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Dr. Sandeep Kumar Passi, Advocate,
for the petitioner.

Mr. Vishwajit Bedi, Advocate,
for the respondent.

HARPREET KAUR JEEWAN, J. (Oral)

Present revision petition has been filed by the petitioner under Article 227 of the Constitution of India for setting aside order dated 29.1.2026 passed by the Court of Additional Civil Judge (Junior Division), Faridkot.

2. As per brief facts, the suit filed by the respondent-decree holder for recovery was decreed vide judgment and decree dated 29.9.2023 (Annexure P-1), as such, an *ex parte* order was passed against the defendant-JD/Hakam Singh. The particulars and address of the defendant/JD are as under : -

“Hakam Singh Ex-AG-II (D) son of Sh. Ajmer Singh resident of Jorian Chakian, Jear Sandhu Hospital, Kotakpura, Tehsil and District Faridkot.”

3. The decree holder-respondent/Food Corporation of India filed execution application which was transferred to District Judge, Faridkot



having territorial jurisdiction. Immediately, the Executing Court issued warrants of sale of the property through public auction vide order dated 29.1.2026. The auction was scheduled for 13.3.2026. The auction could not take place and the petitioner directly approached this Court by way of filing the revision petition impugning aforesaid order dated 29.1.2026 whereby the property of the petitioner was put to auction.

4. I have considered the facts and heard the counsel for the parties.

5. Counsel for the petitioner contends that the petitioner is alive. However, the name of the petitioner, his father and that of the JD and his father is same, as such, the mistake occurred on the part of the respondent bank. The JD is alleged to have died and the execution was filed in District Gurdaspur (Annexure P-2) whereby the JD was represented through legal heirs/Surjit Kaur and others. It is further contended that the property mentioned in the jamabandi for the year 2019-20 (Annexure P-4) has been attached which does not belong to the legal representative of the JD. The said property actually belongs to the petitioner. The petitioner is still alive.

6. Since there is no adjudication on merits by the trial Court, as such, this Court is not making any observation on merits. The present petition is disposed of with liberty to the petitioner to approach the Executing Court and file appropriate application. However, in order to protect the rights of the petitioner, no coercive action shall be taken against the property of the petitioner for a period of 15 days from today.

7. Pending application(s), if any, shall stand disposed of.

(**HARPREET KAUR JEEWAN**)
JUDGE

March 20, 2026

Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No