

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 118 of 2014 (O/M)
Date of decision : 10.8.2015

Gurmail Singh and others

..... Revisionists

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajan Bansal, Advocate, for the revisionists.

Mr. T.N. Sarup, Additional A.G. Punjab,
for respondents No. 1 and 3.

Ms. Ranjana Shahi, Senior Panel Counsel,
for respondents No. 2 and 4.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is order dated 23.3.2013, passed by the learned Additional District Judge (FTC), Bathinda, whereby application under Order 21 Rule 11(2) read with Section 151 of Code of Civil Procedure, 1908, was dismissed.

A perusal of the impugned order shows that in the execution, the claim of the decree-holder is that certain amount is due, whereas according to the judgment-debtors, some other

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amount is due. It is a matter of calculation. The Executing Court has dismissed the execution being fully satisfied, holding that as per the claim of the judgment-debtors, the amount of Rs. 11,710/- is excess and the same is ordered to be refunded. However, keeping in view the plea of the decree-holder that the said amount is not required to be refunded, the matter is remanded back to the Court of the learned Additional District Judge (FTC), Bathinda, to call both the parties to file their calculations of the amount due and then get it checked from a person having knowledge in the matter and then decide as to how much amount is due and thereafter further proceedings be initiated. The parties through their respective counsel are directed to appear before the Executing Court on 4.9.2015.

The revision is accordingly disposed of.

(KULDIP SINGH)
JUDGE

10.8.2015
sjks