

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 1409 of 2013 (O&M)

DATE OF DECISION : December 15, 2015

Union of India

..... PETITIONER(S)

VERSUS

Kheta Ram & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Sarvshri Vivek Singla and Puneet Gupta, Advocates,
for the petitioner.
Mr. Vikram Jeet Singh, Advocate, for
Mr. Aman Pal, Advocate, for respondents No.1 to 8.
Mr. Ramesh Kumar, Asstt. Advocate General, Haryana,
for respondents No.9 and 10.

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1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO
2. To be referred to the Reporter or not? YES/NO
3. Whether the judgment should be reported in the digest? YES/NO

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ARUN PALLI, J. (Oral)

Vide order being assailed, dated 21.01.2013, rendered by the Executing Court, the judgment debtor was directed to pay the entire amount claimed in the calculation furnished by the landowners on or before the adjourned date, failing which the

amount was to be realised by resorting to coercive means.

Having argued the matter at some length, learned counsel for the parties are ad-idem that the claim of the respondents-land owners (decree holders) has to be determined by the Executing Court, strictly in accordance with the decision rendered by the Hon'ble Supreme Court in Sunder vs. Union of India, AIR 2001 SC 3516, and a subsequent decision in Gurpreet Singh vs. Union of India, 2008(2) RCR (Civil) 207.

That being so, the matter is remitted to the Executing Court, to decide the execution petition strictly in accordance with law i.e. the decisions rendered by the Hon'ble Supreme Court in Sunder and Gurpreet Singh's cases (supra) and determine the claim of the land owners (decree holders) accordingly. As the matter has been pending for quite a while, Executing Court is directed to decide the same at the earliest and, in any case, within a period of three months from the receipt of the certified copy of this order.

Parties, through their counsel, are directed to appear before the Executing Court on 15.01.2016.

The revision petition stands disposed of.

DECEMBER 15, 2015
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(ARUN PALLI)
JUDGE