

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CR 2927 of 2015

Date of decision:- 30.4.2015

The Amritsar Improvement Trust

Petitioner

vs.

Tony Kumar and ors

Respondent

Present: Mr. Guarav Sharma, Advocate.

M.M.S.BEDI,J.

The dispute is regarding the calculation in the amount to be determined by the executing court, which is due to be paid by the petitioner judgment debtor to the decree holder- respondents.

Learned counsel for the petitioner has submitted that the calculations have not been made in accordance with the judgment of the Supreme Court in **K.S.Paripooranan vs. State of Kerala, AIR 1995 SC 1012 decided on 12.9.1994.**

The question appears to be regarding execution, discharge and satisfaction of the decree, which can be determined by the executing court as per the provisions of Section 47 CPC.

This petition is disposed of as premature with a direction to the Executing Court to consider the claim of the petitioner in context to the provisions of Section 23(1)-A of the Land Acquisition Act and the judgment of the Apex Court in **K.S.Paripooranan's case** (supra) regarding the liability of the petitioner to pay amount of the award as assessed by the Tribunal and this court.

April 30 ,2015
TSM

(M.M.S.BEDI)
JUDGE