

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

CR No.307 of 2015

Date of decision: 20.10.2015

M.C.Banur through its Executive Officer

... Petitioner

Vs.

Wazir Singh (now deceased) through LRs & others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. B.S.Sidhu, Advocate
for the petitioner.

Mr. Harish Goyal, Advocate
for respondents No.1(i) to (iv).

AMIT RAWAL J. (Oral)

As per office report, no effort has been made to implead the LRs of respondents No.2 to 4.

Accordingly, the revision petition qua respondents No.2 to 4 is dismissed.

Learned counsel appearing on behalf of the petitioner submits, that vide order dated 08.10.1988, application for restoration of the execution proceedings, which was consigned by the Court of Sh. Varinder Kumar, P.C.S, the then Sub Judge, Ist Class Rajpura, has been dismissed on the premise that decree holder had to place on record the order dated 27.11.1989 passed in Civil Revision

No.2111 of 1988. He further submits that factum of the order passed in aforementioned revision petition has not been denied. He further submits that execution application ought not to have dismissed, in the manner, as it has been done.

Mr. Harish Goyal, learned counsel appearing on behalf of respondents No.1(i) to (iv), submits that since the decree holder did not comply with the order passed in the execution application, the execution petition had to be dismissed.

I have heard learned counsel for the parties and appraised the paper book.

Since the factum of the revision petition bearing No.2111 of 1988 decided on 27.11.1989 has not been denied, the Court should have proceeded with the execution application, in accordance with law.

Accordingly, the impugned order dated 12.09.2014, is set aside and the execution application is restored to its original number and it is further directed that the same shall be decided in accordance with law.

Revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

October 20, 2015
savita