

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

CR No.3082 of 2014

Date of decision : 18.12.2015

Tara Chand

...Petitioner

Versus

State of Haryana and another

...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. A.K. Goyal, Advocate for the petitioner.

Mr. Ravi Partap Singh, AAG, Haryana.

AMIT RAWAL, J. (Oral)

Learned counsel for the petitioner is aggrieved of the dismissal of the execution application on the ground that he has not been able to prove or bring on record documents to show that he is co-sharer. In this regard, he has drawn attention of this Court to Annexure P-4-Jamabandi. He submits that Lower Appellate Court has erroneously dismissed the application.

He further submits that application filed by the similar situated person has been entertained. Copy thereof has been attached as Annexure P-6 and submits that there is illegality and perversity in the impugned order.

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

As per the copy of Jamabandi placed on record, the petitioner is shown to be co-sharer, I am of the view that before the Executing Court inadvertently the same has not been place on record and rightly so, execution application has been dismissed. Since, document has been placed on record, I am of the view that serious prejudice would caused to the petitioner in case execution application is not entertained.

Accordingly, impugned order is set aside.

The matter is remitted back to the Executing Court by granting liberty to the petitioner to place on record or tender documents to show that he is co-sharer, so that execution application can be disposed of in accordance with law.

Revision petition stands allowed.

18.12.2015

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**(AMIT RAWAL)
JUDGE**