

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 4877 of 2013
Date of Decision: 27.3.2015.**

Jiwan Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. B.S.Saini, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 227 of the Constitution of India challenging the order dated 30.4.2013.

I have heard the learned counsel for the petitioner and have gone through the record available on the file carefully.

Petitioner had filed suit for declaration and injunction. The said suit was decreed by the Trial Court vide judgment/decreed dated 18.1.2007 (Annexure P-1) and it was held as under:-

“26. As sequel of my findings on issues No. 1 and 2 suit of plaintiff succeeds and his decree to the extent that letter 18014/ERA4/2001 dt. 31.8.2001 Ex. P-13 issued by defendant No. 2 is declared illegal. Defendants 1 & 2 are directed to withdraw Ex. P-13. They are further directed to consider representation dt. 21.5.99 Ex. P-9, representation dt. 25.6.99 Ex. P-10, representation dt.

15.7.99 Ex. P-11, representation dt. 20.7.99 Ex. P-12, representation dt. 3.11.99 Ex. P-18, representation dt. 9.11.99 Ex. P-19 of the plaintiff within three months in true spirit of the facts and in accordance with relevant instructions and in the even claim is declined in that eventuality a speaking and well reasoned order should be passed and it shall be challengeable in the court of law in accordance with law. No order as to cost. Decree sheet be prepared. File be consigned to the record room.”

In pursuance to the said order, the representation moved by the petitioner was disposed of and the claim put-forth by the petitioner, was declined. The remedy available to the petitioner was to challenge the said order passed by the defendants. Hence, the execution petition filed by the petitioner has been rightly dismissed by the Executing Court.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

March 27, 2015
Gurpreet