

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

CR No. 875 of 2014 (O&M)
Date of decision: July 17, 2015

Krishan Chander and others

...Petitioners

Versus

Anand and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

- 1. Whether Reporters of local papers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Sushil K. Sharma, Advocate, for
Mr. Pritam Saini, Advocate,
for the petitioner.

Mr. RS Longia, Advocate,
for respondents No. 1 and 3 to 11.

K. KANNAN, J. (Oral)

1. There is representation through Mr. Sushil Kumar Sharma, Advocate, seeking for time. I found that the revision has been filed in January 2014 against an order that was issued on 15.9.2012 and the petitioners have been taking time all along. I have gone through the order.

2. This is an application before the executing court seeking for a direction to the judgment debtors to deposit Rs. 1,50,000/- for each year against the possession of the suit land which is subject matter of adjudication before the Supreme Court. The Supreme Court appears to have passed an interim order directing the judgment debtors to deposit Rs. 50,000/- before the trial court on or before 10.5.2003 and deposit the same amount for every succeeding year before the same date, namely, 10th May.

The decree-holders have moved the executing court to seek for direction to pay Rs. 1,50,000/- before 3rd May every succeeding year.

3. The executing court has no power to go beyond the decree or give any direction which is at variance with the direction given by the Supreme Court. If the decree-holders are seeking for escalation of the higher sum than what was determined by the Supreme Court itself, such direction must come from the Supreme Court and the executing court will not be competent to make any variation.

4. The executing court has dismissed the application referring to the fact that it has no power to go beyond the amounts specified in the decree or the amount stipulated in the order of the Supreme Court. The impugned order is well reasoned and I find no reason to subject the order for any intervention. The revision is dismissed on merit, although there is no submissions made by the petitioners. This is done under the extraordinary circumstance that the petitioners who have filed the revision are not prepared to argue and they are only taking time for the last two years to get ready for arguments.

July 17, 2015
prem

(K.KANNAN)
JUDGE