

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

CWP-10767-2014 (O&M)
Date of decision:- 19.12.2015

Partap Singh

...Petitioner

Versus

Haryana Urban Development Authority, Panchkula and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Manjeet Singh, Advocate,
for the petitioner.

Mr. Atul Aggarwal, Advocate,
for the respondents – HUDA.

* * * *

S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner in effect seeks enforcement of a decree dated 05.11.1998 passed by the Civil Judge (Senior Division), Jind read with the decree passed by the Appellate Court and thereafter by the learned Single Judge of this Court in RSA-2039-2000 titled as *Haryana Urban Development Authority, Jind Vs Partap Singh* (Annexure P-8).

2. Civil Appeal No. 4907 of 2002 against the judgement of the learned Single Judge dated 29.05.2000 was dismissed by the order of the Supreme Court dated 04.10.2012. The judgement of the learned Single Judge states what the petitioner is entitled to. The petitioner, therefore, must have the decree executed. There is no warrant for entertaining this petition.

3. The petitioner did participate in a draw of lots. He, however, challenges the same on the ground that it was arbitrary and irrational as plots of different sizes were taken into consideration in the process. The petitioner at this stage would not be bound by the draw of lots in the proceedings for execution of the decree. The Executing Court would be bound by the decree and by the subsequent orders in appeal.

4. The petition is disposed of in the above terms.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

19.12.2015

Amodh

AMODH SHARMA
2015.12.19 17:14
I attest to the accuracy and
authenticity of this document
chandigarh