

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

LPA No. 724 of 2015 (O&M)

DATE OF DECISION : 11.05.2015

Lajja Devi

.... APPELLANT

Versus

The State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Sushil Saini, Advocate,
for the appellant.

* * *

SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 28.04.2015 passed by the learned Single Judge, whereby the writ petition (CWP No. 7203 of 2015) filed by the appellant challenging the orders dated 10.03.2015 (Annexure P-9) and 18.12.2012 (Annexure P-1) passed by respondent No.2, and the order dated 28.10.2014 (Annexure P-8) passed by respondent No.1, has been dismissed.

The grouse of the appellant before the authorities below was that she owns 103 kanals 6 marlas of land, which was illegally attached in execution of the award of an amount of ₹ 11.86 lacs passed against her husband.

It is the case of the appellant that in execution of the award

against her husband, property of the appellant should not have been attached and sold. The authorities below considered this contention and rejected the same after coming to the conclusion that husband of the appellant had embezzled a huge amount of the Cooperative Society, where he was working as Secretary, and from the said amount, he had purchased the land in question in the name of his wife. It has been found as a fact that even on the date of registration of the sale deed, the appellant was not present and the said sale deed was got executed in her favour by her husband. It has also been found as a fact that the said land was purchased from the embezzled amount. Keeping in view all these factors, the said land was attached in execution of the award and notice has been issued to sell the same by public auction, to recover the amount from the husband of the appellant. These facts have not been controverted.

In view of the aforesaid facts, we do not find any illegality, either in law or in equity, in the orders passed by the authorities below as well as the impugned order passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

May 11, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE