

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

CR No.1067 of 2016
Date of decision : 11.02.2016

Gram Panchayat Sersa

...Petitioner

Versus

Rajpal and ors.

...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. Navneet Singh, Advocate for the petitioner.

AMIT RAWAL, J. (Oral)

The petitioner-defendant is aggrieved of the order passed in execution application filed at the instance of the Decree Holder seeking execution of the judgment and decree dated 18.09.2000.

Mr. Navneet Singh, learned counsel appearing on behalf of petitioner submits that respondent-Decree Holder has been given alternative site but inadvertently, the judgment and decree could not be modified or not challenged and resulted into passing of the impugned order, whereby direction has been issued to remove the *nala* within a period of one month.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that there is no illegality and perversity in

the order. Order cannot be said to have been passed without jurisdiction as Executing Court has given a regard and respect to the judgment and decree dated 18.09.2000 which had attained finality. It has prima facie been found that direction contained in the judgment and decree has been violated and rightly so, execution application was filed under Order 21 Rule 32 of the Code of Civil Procedure and in case petitioner-defendant is aggrieved, they are at liberty to seek modification of the decree in accordance with law but not in the manner and mode as has been adopted.

Dismissed.

11.02.2016

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**(AMIT RAWAL)
JUDGE**