

Civil Revision No.1400 of 2015 (O&M)

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

C.R.No.1400 of 2015 (O&M)

Date of Decision: July 04, 2016

Central Govt.of India, through Defence Estate Officer, Bathinda

...Petitioner

Versus

Raj Devi alias Raj Kumari & another

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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.Vivek Singla, Advocate,
for the petitioner.**

**Mr.J.S.Thind, Advocate,
for respondent No.1.**

AMIT RAWAL, J. (Oral)

The petitioner-Central Government is aggrieved of the impugned order dated 11.11.2014 (Annexure P-9), whereby their objections have been disposed of and they have been directed to make the payment to the decree holder on or before 12.1.2015.

The contention of the learned counsel for the petitioner is that the solatium and interest was not part of the decree and, therefore, the benefit of the same cannot be granted. At the best, the decree holders are entitled to the benefit as per the terms of the judgments rendered by the Hon'ble Supreme Court in **Sunder Versus Union of India, 2001(4) RCR (Civil) 727 and Gurpreet Singh Versus Union of India, 2008(2) RCR (Civil) 207.**

Mr.J.S.Thind, learned counsel appearing on behalf of respondent No.1-claimant-land owner submits that this Court while deciding the R.F.A. had granted the element of solatium and interest and the findings have been upheld by the Hon'ble Supreme Court. This fact is not disputed by the other side. He submits that the award granting solatium and interest being not part of the decree has already been upheld by the Hon'ble Supreme Court vide order dated 2.1.2014 passed in Special Leave Petition (Civil) No.21784-21799 of 2013 (Central Govt.of India, Thru Defence Est. Versus Bakhta & another etc. etc.). In the other matters also, the land owners had assailed the findings of the Executing Court and the same have been set-aside by this Court vide order dated 21.2.2013 passed in Civil Revision No.3160 of 2012 and other connected matters (Annexure P-10). This fact is also not disputed by the

counsel for the petitioner.

In view of the aforementioned facts, I do not find any illegality and perversity in the order under challenge. No interference in the impugned order is called for.

Revision petition stands dismissed.

July 04, 2016
ramesh

(AMIT RAWAL)
JUDGE