

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.1708 of 2016

Date of decision: 17.03.2016

Ram Kishan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR.JUSTICE DARSHAN SINGH

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Present: Mr. RVS Chugh, Advocate for the petitioner.

Darshan Singh, J.

The present revision petition has been filed against the order dated 10.2.2016 passed by the learned Additional District Judge, Hoshiarpur whereby the Salary Head No.DDO Code 610 attached in the execution proceedings has been ordered to be released.

Learned counsel for the petitioner contended that the Judgment Debtors have not appeared in the execution proceedings. The learned Executing Court has attached the salary head in order to realize the decretal amount but later on vide impugned order without giving any notice to the petitioner, the Salary Head has been released. Thus, he contended that the impugned order is illegal.

I have duly considered the aforesaid contentions.

In the impugned order, the learned Additional District Judge, Hoshiarpur has given the reference of the instructions issued by this Court to avoid attaching the heads of account through which the salaries are disbursed to the employees. The attaching of the salary head was not at all

justified as the JD in this case is the State of Punjab. There may be various other properties belonging to the State of Punjab available for attachment from which the decretal amount can be realized. The attachment of the salary head causes great hardship to the number of employees of the office concerned as they are not able to get the salary for the livelihood of their family members.

Thus, I do not find any illegality in the impugned order.

Consequently, the present revision petition being without any merit is hereby dismissed.

March 17, 2016
ps

(DARSHAN SINGH)
JUDGE