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

CR-3760-2013

Date of decision : 03.03.2016

Rai Sahib Mehta

...Petitioner

Versus

Punjab State Electricity Board and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. P.S. Rana, Advocate
for the petitioner.

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?

AMIT RAWAL, J. (ORAL)

The petitioner is aggrieved of the dismissal of the execution application as the lower Appellate Court while deciding the application, has relied upon the judgment of Hon'ble Supreme Court in **“State of Haryana V/s S.L. Arora and Company” 2010 (2) RCR (Civil) 223.**

Mr. P.S. Rana, learned counsel for the petitioner submits that the aforementioned judgment is no longer effective and the matter may be reconsidered by the Executing Court, in view of the judgment of Hon'ble Supreme Court rendered in **“M/s Hyder Consulting (UK) Limited versus Governor, State of Orissa through Chief Engineer 2015(1) RCR (Civil) 165.**

In view of the above, I am of the view that the matter is to be re-considered by the Executing Court and there would be no necessity for calling upon the other side as it would incur the litigation charges.

Keeping in view the aforementioned facts and circumstances, the impugned order dismissing the execution application, is hereby set aside and the matter is remitted back to the Executing Court to decide the matter afresh as per the ratio decidendi culled out in the judgment of Hon'ble Supreme Court rendered in **“M/s Hyder Consulting (UK) Limited's case.**

Accordingly, civil revision petition is allowed.

03.03.2016
yogesh

(AMIT RAWAL)
JUDGE