

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

CR No. 4846 of 2017

Date of Decision: 27.07.2017

PUNJAB STATE WAREHOUSING CORPORATION

-PETITIONER

VS

GURMEET SINGH AND ANR

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Karan Singla, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Suit for declaration and permanent injunction filed by the plaintiff-respondent No.1 was partly decreed without any order as to the costs thereby setting aside the order dated 29.06.2012 and the defendants were directed to refund the amount of Rs.87,314/- to the plaintiff along with interest @ 6% per annum from the date of deduction till realization of the amount. The aforesaid judgment and decree became final.

In the execution of the aforesaid decree, objections have been filed by the judgment debtor on the basis of pending departmental proceedings. The plaintiff-decree holder has already retired on 30.09.2013. The pendency of any departmental proceedings against the decree holder has no effect on the execution of decree which was more or less a

money decree when the petitioner-department was directed to refund amount of Rs.87,314/- along with interest in favour of the decree holder.

The Executing Court cannot go beyond the decree particularly when the judgment and decree dated 25.04.2016 has become final.

Accordingly, the present revision is dismissed.

27.07.2017
jjyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No