

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

**CR No. 7211 of 2016
DECIDED ON: JANUARY 31, 2017**

HARDEV KAUR & OTHERS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Parminder Singh-1, Advocate
 for the petitioners.

JASPAL SINGH, J

Challenge in this revision petition is to the order dated July 29, 2016 passed by learned Additional District Judge, Bathinda, whereby, an application moved by the petitioners for restoration of the execution application to its original number for the recovery of due amount, has been dismissed.

The contention of learned counsel for the petitioner is that the respondent-State acquired land measuring 86 bighas 16 biswas belonging to Gurcharan Singh and an award was passed by learned Additional District Judge, Bathinda on October 11, 1983. Appeal preferred against the said award was also disposed of by this Court vide order dated October 16, 1984 and LPA preferred against the order dated October 16, 1984 was also disposed of by this Court vide order dated July 20, 1992. As the payment was not made by the JDs

an execution application filed by the decree holder, which was disposed of by the then learned Additional District Judge, Bathinda on November 27, 2010. The said execution application was disposed of as satisfied but the amount of more than ₹5,00,000/- was left to be paid in the previous execution application, which was disposed of on November 27, 2010.

Learned counsel for the petitioners further submits that the executing court has not properly looked at the calculation furnished in the execution application but this Court is of the considered view that execution application filed by the petitioners was dismissed as fully satisfied. There is nothing on record to suggest that petitioners were entitled to any additional amount or that the calculation made by the parties were wrong.

Moreover, the petitioner could have agitated this matter when the execution application was disposed of being satisfied.

Thus, this Court is of the considered view that there is no infirmity or illegality in the impugned order. Rather, the same is absolutely in consonance with the legal proposition of law.

Finding no merit in the instant revision petition, it stands dismissed.

JANUARY 31, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*