

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

**CM 13619-CWP of 2017 in/and
RA-CW-443 of 2017 in
CWP 10199 of 2017**

Date of Decision: November 10, 2017

TDI Infrastructure Ltd.

.....Applicant

Vs.

Permanent Lok Adalat and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present: Mr. Munish Gupta, Advocate for the applicant.

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M.M.S. BEDI, J. (ORAL)

For the reasons mentioned in the application, the delay in filing the review application is condoned. Applications stands disposed of.

Writ petition against the award dated October 17, 2013 was dismissed. The present review application has been filed claiming that the Executing Court had raised a resumption regarding delivery of cheques vide order dated February 27, 2017 merely on the basis of the affidavit filed by the counsel for decree holder which is illegal and cannot be sustained. The said order had inadvertently been challenged in the writ petition which stands dismissed.

I have considered the contention of learned counsel for the applicant and perused the order dated February 27, 2017 passed by the Executing Court. It is urged by counsel for the applicant that the petitioner/

non-applicant had not paid any amount by cheques as mentioned in the order dated February 27, 2017.

After considering the contention of counsel for the applicant I m of the opinion that the order dated February 27, 2017 passed by the Executing Court regarding determination of the rights of the parties was subject matter of the writ petition or not and whether any prejudice can be said to have been caused to the applicant is neither the subject matter of this application nor the writ petition. However, it has been informed that the alternative plot has already been allotted to the non-applicant/ petitioner.

In view of the above circumstances, I do not find any ground to again enter into the disputed question of fact regarding any amount being due from the non-applicant/ petitioner. Besides this, no opinion has been expressed regarding the validity of order dated February 27, 2017 while deciding the writ petition. Review application, is therefore, not maintainable and is thus dismissed without prejudice to the rights of the parties.

November 10, 2017
sanjay

(M.M.S. BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether reportable:	Yes/No.