

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

CR No.2452 of 2018 (O&M)
Date of decision : April 26, 2018

Punjab Small Industries & Export Corporation Petitioner

Versus

Dalwinder Singh and others Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sanjeev Sharma, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 20.12.2017 (Annexure P-12) passed by learned Civil Judge (Jr. Divn.), Amritsar, vide which the objections filed by the petitioner-J.D. were dismissed.

Heard.

Learned counsel for the petitioner has referred to the order endorsed on 09.02.2011 (Annexure P-6) passed by the Managing Director of Punjab Small Industries and Export Corporation Ltd., Chandigarh (for short 'the Corporation'), in which while imposing recovery of ₹16,23,857/-, the Managing Director of the Corporation had ordered recovery from the retiral dues and other payable dues. Therefore, learned counsel for the petitioner concedes that said amount was reduced to ₹28,905/- in appeal. The said amount has been allowed to be adjusted by the Executing Court.

Learned counsel for the petitioner states that another order endorsed on 29.07.2013 (Annexure P-11) has been passed for recovery of ₹2,52,373/- along with interest @ 9% per annum by the Managing Director of the Corporation.

However, in the said order it is nowhere stated that the said amount is to be adjusted from the dues payable to him.

It is stated that the process is underway to pass such order.

Since, no such order has been passed, therefore, there is no illegality or infirmity in the order passed by the Executing Court.

As such, the present revision petition is dismissed.

The petitioner shall always be entitled to pass the order for recovery of the dues from the amount payable in the execution and then raise the appropriate plea before the Executing Court.

Since, the main revision petition is dismissed, therefore, the pending application, if any also stands disposed of.

(KULDIP SINGH)
JUDGE

April 26, 2018

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Whether speaking / reasoned Yes

Whether Reportable: No