

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

**CR No.3258 of 2016 (O&M)
Date of decision : March 12, 2018**

Duni Chand

..... Petitioner

Versus

Collector, Abohar and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Aseem Kataria, 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 06.10.2015 passed by learned Addl. District Judge, Ferozepur, whereby the execution application filed by the petitioner was dismissed.

Heard.

In this case, the land of the petitioner was acquired and the execution of the petitioner was dismissed by the learned Addl. District Judge on the ground that the appeal for enhancement of compensation is pending before this Court and is likely to be decided.

I am of the view that even if the appeal for enhancement of compensation is pending, the amount awarded by the trial Court can always be recovered in the absence of any stay. The mere fact that some landowners have filed the appeal for enhancement of compensation, is no ground to dismiss the execution. Therefore, without issuing notice to the opposite

party, the present revision petition is allowed and the impugned order is set aside and the matter is remanded to the Court of learned Addl. District Judge, Ferozepur to further proceed with the execution.

(KULDIP SINGH)
JUDGE

March 12, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No