

**In the High Court of Punjab and Haryana at Chandigarh**

**263**

**CR No.5629 of 2017**

**Date of decision: 3.8.2018**

**Karnail Singh**

**.....petitioner**

**Versus**

**Karnail Singh**

**.....respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: None for the petitioner.

Mr. Jitesh Sharma, Advocate  
for the respondent.

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**RAJ MOHAN SINGH, J.(oral)**

Order dated 23.8.2017 was passed on the statement of learned counsel for the petitioner that the petitioner can deposit the decretal amount in two instalments i.e. first instalment shall be paid till 3.10.2017. On the basis of said statement made on behalf of the petitioner, operation of the impugned order was stayed. Thereafter, the case was adjourned from 15.12.2017 to 11.5.2018 and from 11.5.2018 to 4.7.2018.

On 4.7.2018, learned counsel appearing on behalf of the petitioner made a prayer for withdrawal of the revision

petition. In order to ascertain factum of payment of first instalment of the decretal amount as promised before the Court on 23.8.2017, the case was adjourned for 31.7.2018. Learned counsel for the petitioner was asked to disclose the factum of making payment as undertaken on behalf of the petitioner. On 31.7.2018, none appeared on behalf of the petitioner and the case was adjourned for 2.8.2018. On 2.8.2018, a proxy counsel appeared on behalf of the petitioner and the case was further adjourned for today.

Today, there is no representation on behalf of the petitioner. Learned counsel for the respondent states that no amount has been deposited by the petitioner till date. Evidently, benefit of stay order was availed by the petitioner without there being any real intention to comply with the statement made before the Court on 23.8.2017. Petitioner has availed the benefit of stay for 11 months and 20 days without complying with the said order. The effort to withdraw the revision petition further shows that the petitioner is trying to wriggle out of the order dated 23.8.2017 passed by this Court.

In view of aforesaid facts, I deem it appropriate to dismiss this revision petition.

Accordingly, this revision petition is dismissed with costs of Rs.50,000/- to be deposited with the District Legal

Service Authority, Fazilka within one month from today, failing which the amount shall be recovered as arrears of land revenue.

**August 03, 2018**  
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**(RAJ MOHAN SINGH)**  
**JUDGE**

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| <b>Whether reasoned/Speaking</b> | <b>Yes/No</b>        |
| <b><i>Whether reportable</i></b> | <b><i>Yes/No</i></b> |