

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

141

CR No.6004 of 2017 (O & M)
Date of Decision:16.05.2018

Manjit Kaur Lamba

...Petitioner

Versus

DPI Colleges and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajit Singh Sodhi, Advocate
for the petitioner.

Ms. Parminder Kaur, Advocate for
Mr. Rohit Sud, Advocate
for respondents No.3 and 4.

ANIL KSHETARPAL, J.(Oral)

Widow-decree holder is in the revision petition against the orders passed by the learned Executing Court dated 18.10.2016 deciding some part of the claim whereas leaving the remaining part to be decided later on as also the order dated 30.03.2017 wherein the execution petition has been dismissed in default due to non-filing of fresh list of property.

Husband of the decree-holder had served the judgment-debtor college and since dues were not paid, the civil suit filed by the petitioner was decreed on 24.04.2000. Thereafter, in the execution petition, proceedings have remained pending. On careful reading of para 3 of the order dated 18.10.2016, it is apparent that the objections with regard to question of payment of family pension as also the question of provident fund were kept open.

Still further, it is the contention of the decree-holder that the entire amount due and payable as per the decree has not been paid.

Keeping in view the aforesaid facts, this Court is of the considered view that the learned Executing Court should be directed to re-decide the execution petition in one go rather than in part.

In view thereof, the execution petition is restored to its original number. Learned Executing Court is requested to finally decide the execution petition, within a period of six months, from the date of receipt of a certified copy of this order.

Parties through their counsel are directed to appear before the learned Executing Court on 31.05.2018.

Revision petition is disposed of.

16.05.2018

Dinesh Bansal/sheetal

(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No