

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

**CWP No.25447of 2018
Decided on :04.10.2018**

Gurpreet Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Amit Arora, Advocate
for the petitioners.

G.S. Sandhawal, J. (Oral)

The present writ petition under Article 226/227 of the Constitution of India has been filed on account of the fact that the *Sanad Takseem* had been issued on 04.08.2017 (Annexure P-3) and the amount had been deposited on 02.12.2017 (Annexure P-7). The possession has not been exchanged, in spite of the fact that warrants of possession have been issued on 20.12.2017 (Annexure P-8).

It is submitted that respondent No.3-Assistant Collector 1st Grade had stayed the execution proceedings, on account of the record having been summoned by the Financial Commissioner, which would be clear from the order dated 21.05.2018 (Annexure P-10). Counsel further submits that the revision petition has been dismissed by the Financial Commissioner in default on 14.09.2018.

If that is so, it is always open to the petitioner to approach respondent No.3 for revival of the execution proceedings, since the sole ground was on account of the record having been summoned by

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the Financial Commissioner, the authority is not proceeding ahead. It is expected that in case there is no stay, the said respondent shall continue with the execution proceedings.

The writ petition is disposed of, accordingly.

OCTOBER 04, 2018

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No