

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

**RA-CW-17-2016 IN EA.No.17-2015
IN CWP-6681-1986**

HARBHAJAN SINGH AND OTHERS

V/S

STATE OF PUNJAB AND ANOTHER

Present: Mr.G.S.Bajwa, Advocate and Mr.R.K.Vashishtha, Advocate
for the applicant/petitioner

Ms.Jasleen Kaur, AAG, Punjab.

Review application

Review application has been filed to recall the order dated 19.12.2015 whereby the execution application was allowed to be withdrawn. It has been averred that counsel could not appear on the said date on account of some personal work and the reply was awaited. The same had been filed on the said date and the order was passed in the presence of the proxy counsel.

Further, it is pointed out that the petitioners are seeking implementation of order dated 9.03.2005 as on an earlier occasion on 9.9.2009 the contempt petition No.984 of 2005 had been dismissed with liberty to seek any other appropriate remedy for redressal of their grievances in accordance with law (Annexure EA-3). Thereafter, CWP No. 4200 of 2010 filed had been dismissed on 21.04.2014 (Annexure EA-6) with similar observations on the ground that a fresh petition is not maintainable.

It is submitted that in such circumstances, petitioners are still seeking their redressal for their legal rights by filing the execution application. In reply to the application State has averred that the benefits have been granted and implemented and costs have also been paid.

Keeping in view the above, since there has been no adjudication of the execution application on merit as such and the arguing counsel was not available and the order is likely to be reviewed and recalled. Accordingly, the review application is allowed and order dated 19.12.2015 is recalled. The execution application EA-17 of 2015 is restored to its original number. Review application stands disposed of.

To be listed as per roster.

14.02.2018

raman

(G.S.SANDHAWALIA)
JUDGE