

**RA-CR-115-CII-2016 (O&M) in
CR-1242-2016**

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

**RA-CR-115-CII-2016 (O&M) in
CR-1242-2016**

Date of decision : 03.08.2018

The Punjab State Power Corporation Ltd.

... Petitioner

Versus

Harjit Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. R.S. Bajaj, Advocate
for the review applicant/respondent.

Mr. R.L. Sharma, Advocate
for the non-applicant/petitioner.

AMIT RAWAL, J. (ORAL)

Prayer in the review application is for reviewing the order dated 17.03.2016 on the premise that after judgment and decree of the lower Appellate Court decreeing the suit, both the parties in the execution application had led evidence in detail. On the basis of the evidence, it was found that the benefits as per the decree had not been given. Despite that the Punjab State Power Corporation Ltd. (in short 'the Corporation') had filed the objections, which were dismissed and the Corporation came before this Court vide CR No.1242 of 2016. This Court in limine vide order dated 17.03.2016 set aside the order of the trial Court by giving the opportunity to the parties to submit their calculations commensurating with the judgment and decree of the Court below.

Mr. R.S. Bajaj, learned counsel appearing on behalf of the

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applicant/respondent submitted that his client would not be averse to the submission of calculations, but his calculations may be read in support of the evidence already led in execution application.

Mr. R.L. Sharma, learned counsel appearing on behalf of the non-applicant/petitioner does not dispute the factum of leading of the evidence before the Executing Court, but submits that the calculations as ordered, are required to be submitted.

I have heard learned counsel for the parties, appraised the paper book and of the view that since the parties have not disputed the fact with regard to the leading of the evidence before the Executing Court in support of their respective claims in the execution application and the revision petition arisen out of dismissal of the objections, vide which, this Court remitted the matter to the Executing Court to decide the controversy afresh by directing the parties to submit their calculations viz-a-viz their respective claims. However, the aforementioned order is clarified with a rider that the aforementioned calculations would be looked into by the Executing Court along with evidence already brought on record in order to arrive at fair and just decision of the controversy.

The review application stands disposed of in the aforementioned terms.

03.08.2018
Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**

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Yogesh Sharma
2018.08.10 10:01
I attest to the accuracy and
integrity of this document