

CR-1326-2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-1326-2018 (O&M)

Date of decision : 08.04.2019

Haryana Urban Development Authority (now Haryana
Sahri Vikas Pradhikaran) and another

... Petitioners

Versus

Jagdeep Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. B.R. Mahajan, Senior Advocate with
Mr. Arvind Seth, Advocate
for the petitioner.

Mr. Deepak Sharma, Advocate
for respondent Nos.1 and 2.

Mr. Pawan Kumar Jangra, Addl. A.G., Haryana.

AMIT RAWAL, J. (ORAL)

The present revision petition is directed against the order dated 15.10.2016, 02.02.2018 and 16.02.2018, passed by the Executing Court qua payment of interest on solatium.

The revision petition was adjourned *sine die*, for awaiting the decision of Hon'ble the Supreme Court in **Civil Appeal Nos.7034-7037 of 2015** titled as **"M/s Periyar & Pareekanni Rubbers Limited V/s State of Kerala"**, which has been decided, vide order dated 14.11.2018, wherein, the issue with regard to the applicability of *ratio decidendi* rendered in **"Gurpreet Singh V/s Union of India" 2008 (2) RCR (Civil) 207**, has been referred to, taking the note of the Reference Court i.e. 19.09.2001, in **"Sunder V/s Union of India" 2001 (4) RCR (Civil) 727**.

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In the present case, the award is prior to the aforementioned date.

Keeping in view the aforesaid observations, I deem it appropriate to dispose of the revision petition with the direction to the Executing Court, to decide the execution application in accordance with prevailing law.

Both the parties shall be at liberty to raise all possible pleas before the Executing Court.

Let this exercise be done within a period of three months from the date of receipt of certified copy of this order.

08.04.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**