

CR Nos.4604 to 4606 of 2015 & 504 of 2016 (O&M)

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

Date of decision : 23.05.2019

1. CR-4604-2015 (O&M)

Union of India

... Petitioner

Versus

Hari Singh and others

... Respondents

2. CR-4605-2015 (O&M)

Union of India

... Petitioner

Versus

Fateh Chand and others

... Respondents

3. CR-4606-2015 (O&M)

Union of India

... Petitioner

Versus

Kehar Singh

... Respondent

4. CR-504-2016 (O&M)

Union of India

... Petitioner

Versus

Amar Singh (deceased) through LRs and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Anil Chawla, Advocate
for the petitioner(s).

Mr. Arun Bansal, Advocate with
Ms. Baani Chhibber, Advocate
for the respondent(s).

CR Nos.4604 to 4606 of 2015 & 504 of 2016 (O&M)

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of four revision petition bearing **CR No.4604 of 2015** titled as **“Union of India V/s Hari Singh and others”**; **CR No.4605 of 2015** titled as **“Union of India V/s Fateh Chand and others”**; **CR No.4606 of 2015** titled as **“Union of India V/s Kehar Singh”** and **CR No.504 of 2016** titled as **“Union of India V/s Amar Singh (deceased) through LRs and another”**.

The aforementioned revision petitions were directed against the impugned orders dated 16.01.2015 (Annexure P-8) and 28.05.2015 (Annexure P-10), passed by the Executing Court, qua payment of interest on solatium.

The revision petitions were 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**.

In the cases, in hand, the awards are prior to the aforementioned date.

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

The parties to the *lis* 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.

23.05.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No