

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

CR no.815 of 2019

Date of Decision: 04.02.2019

Union of India

...Petitioner

Vs.

Naunihal Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Kulwant Kaur Kahlon, Advocate, for the petitioner.

Amol Rattan Singh, J (Oral)

Learned counsel for the petitioner submits that since in the judgment of this Court dated 20.12.2016, passed in FAO no.4000/2001, the name of the respondent herein is spelt as “Naunihal Singh”, as is also the case before the Tribunal in its capacity as an execution court, but the respondents' name in his bank account is spelt as “Nonihal”, it would not be possible to deposit the amount awarded in the bank, and therefore, the petitioner is prepared to present a demand draft in the name of the respondent (spelt as “Naunihal Singh”), on the next date of hearing itself; and consequently, the summons issued to the Chief Commercial Officer, North East Frontier Railway Maligaon, Guwahati, Assam, be set aside.

Having considered the aforesaid argument, with the spelling of the name of the respondent undoubtedly shown to be “Naunihal Singh” in the judgment of this Court passed in FAO no.4000 of 2001, I find the

contention to be reasonable.

Consequently, without calling upon the respondent, this petition is allowed to the extent that if a demand draft for the amount of compensation to be paid to the respondent is presented to the learned Tribunal (the execution court) on the next date of hearing before that court, that part of the impugned order by which summons have been issued to the aforesaid officer, shall be deemed to have been set aside. However, if the demand draft is not so presented, this order shall be deemed to have not been passed.

04.02.2019

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(Amol Rattan Singh)**Judge****Whether speaking/reasoned : Yes****Whether reportable : Yes**