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

**Civil Revision No.1337 of 2019
Date of Decision: 23.05.2019**

Bharthu

.....Petitioner

Vs

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kulwant Singh Dhanora, Advocate
for the petitioner.

Mr. J.S. Saneta, Advocate for
Mr. Naveen Siwach, Advocate
for respondents No.6 to 8.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has assailed the order dated 04.08.2018 passed by the Addl. District Judge, Hisar vide which application under Section 130 of the Contract Act for revocation of the security bond furnished by the petitioner was dismissed on the ground that the petitioner himself stood surety for the release of amount in favour of the decree-holders and the Court was not obliged to work as per whims of the petitioner for revocation of the surety bond.

[2]. Learned counsel for the petitioner states that the enhanced amount was ordered to be disbursed to the land

owners subject to their furnishing security to the extent of 50% of the enhanced compensation and the amount was directed to be disbursed to the decree holders i.e. respondents No.6 to 8 as per their share on furnishing security to the extent of 50% of the enhanced compensation.

[3]. Learned counsel appearing on behalf of respondents No.6 to 8 states that respondents No.6 to 8 have no objection in case petitioner's surety is allowed to be withdrawn and in his place defendants No.6 to 8 will execute fresh tangible security to the satisfaction of the executing Court. Respondents No.6 to 8 are the land owners and the enhanced amount as per orders of the Court has been paid to them. RFA No.2489 of 2010 has been admitted.

[4]. In view of consensus arrived at between the petitioner and respondents No.6 to 8, this revision petition is disposed of. The impugned order dated 04.08.2018 passed by the Addl. District Judge, Hisar is set aside. The executing Court/the Addl. District Judge, Hisar is directed to allow the petitioner to withdraw surety bond only after execution of fresh surety bonds by the land owners/respondents No.6 to 8.

May 23, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No