

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 116

Case No. : C. R. No. 1433 of 2019 (O&M)

Date of Decision : February 28, 2019

Mohan Singh (since deceased) through
his legal heir Pal Singh Petitioner

vs.

Union of India and others Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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Present : Mr. Kanwar Pahul Singh, Advocate
for the petitioner.

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DEEPAK SIBAL, J. (Oral) :

The present petition is directed against the order dated 29.08.2018 passed by the Additional District Judge, Amritsar (for short – the Executing Court) dismissing the execution application filed by the petitioner on the ground that despite numerous opportunities granted to him, no details with regard to payments due from respondents no. 1 to 3 have been furnished by him.

Learned counsel for the petitioner submits that the details of payment due from respondents no. 1 to 3 are ready with the petitioner and if one opportunity, subject to assessment of reasonable costs, is granted to the petitioner, he shall file the same before the Executing Court.

A perusal of the record reveals that the petitioner is seeking

Acquisition Act, 1894 on account of acquisition of the land of Mohan Singh, who was his predecessor-in-interest.

It is the case of the petitioner that certain amounts are still due from respondents no. 1 to 3 and if he is granted one opportunity, he shall supply all such details to the Executing Court.

Keeping in view the fact that the petitioner is seeking compensation on account of acquisition of land of Mohan Singh, who was the predecessor-in-interest of the petitioner and has been waiting for a long time to get the award dated 31.07.1987 executed, subject to payment of Rs.10,000/- as costs to be deposited with the Army Welfare Fund Battle Casualties, Account No.90552010165915, Syndicate Bank, South Block Branch, New Delhi (IFSC Code: SYNB0009055), the impugned order is set aside and the petitioner is granted one and only one opportunity to give all details including documents and orders with regard to payments which according to him are still due from respondents no. 1 to 3.

The present petition is allowed in the above terms.

If respondents no. 1 to 3 are aggrieved by passing of the present order, they are at liberty to approach this Court by filing of an appropriate application.

(DEEPAK SIBAL)
JUDGE

February 28, 2019
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<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>