

CR-2752-2019 (O&M)

123-2

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

CR-2752-2019 (O&M)

Date of decision : 30.04.2019

Bhagwan Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Navmohit Singh, Advocate
for the petitioners.

AMIT RAWAL, J. (ORAL)

The present revision is directed against the order dated 19.04.2019 (Annexure P-1), whereby the Executing Court, imposed a condition of furnishing of indemnity and surety bonds.

Mr. Navmohit Singh, learned counsel for the petitioners submits that the claim of the petitioners was confined to the compensation awarded by the Reference Court @ ₹1560/- per sq. metre, for, the question of enhancement as per the decision of the Hon'ble Supreme Court, on remand, is pending adjudication. He has drawn the attention of this court to the order of the Hon'ble Supreme Court, the operative part of which reads as under:-

“Apart from that, as State has not questioned the disbursement made by the Reference Court @ ₹1560/-, along with other statutory benefits, out of the said amount that has been deposited, the land owners to whom the amount has not been

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paid shall be paid the amount, as ordered by the Reference Court. Remaining amount may be kept in fixed deposit, which may be disbursed after the decision of case by the High Court. Let the High Court make an endeavor to decide the matter within a period of two months from the date of appearance of the parties.”

I have heard the learned counsel for the petitioners and appraised the paper book.

There is no dispute as per the order of the Hon'ble Supreme Court, extracted above. In such circumstances, the Executing Court ought not to have imposed the condition of indemnity and surety bonds. The aforementioned condition is hereby expunged.

Revision petition stands allowed.

30.04.2019
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**