

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.3310 of 2019

Date of Decision.20.05.2019

Yash Pal Tyagi

...Petitioner

Vs

State of Haryana and others

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. S.S. Dinarpur, Advocate
for the petitioner.

-:-

AMIT RAWAL J. (ORAL)

The present revision is directed against the impugned order, whereby the Executing Court, imposed a condition of furnishing of indemnity and surety bonds.

Mr. S.S. Dinarpur, learned counsel for the petitioner submits that the claim of the petitioner 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 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 petitioner 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

(AMIT RAWAL)
JUDGE

May 20, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No