

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51636-2018

Date of decision: 18.03.2019

M/s Sachin Goyal Properties and Leasing (P) Ltd. and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Naveen Sharma, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Aayush Gupta, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing/modification of the order dated 03.11.2018 passed by the first appellate Court, directing the petitioners to deposit 25% of the compensation i.e. Rs.10.00 lacs with the trial Court.

Learned counsel for respondent No.2 has produced the latest Act, which shows that the amendment dated 02.08.2018 came into force w.e.f. 01.09.2018. It goes to show that when the impugned order dated 03.11.2018 was passed by Id. Additional Sessions Judge, Ludhiana, the said amendment inserting Section 148 of the Negotiable Instruments Act, 1881 had come into force.

It being so, there is no illegality and infirmity in the impugned order dated 03.11.2018, passed by Id. Additional Sessions Judge, Ludhiana,

directing the petitioners to deposit 25% of the compensation awarded by the trial Court.

Accordingly, the present petition is dismissed.

However, it is made clear that that amount is to be paid within 60 days from the date of passing of the order, in terms of Section 148 of the Negotiable Instruments Act 1881. The petitioners will always be at liberty to apply for extension of period by another 30 days on the grounds available to them and it is for the ld. Additional Sessions Judge, Ludhiana to consider the same and to pass appropriate order.

18.03.2019

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**[ARVIND SINGH SANGWAN]
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No