

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

**Civil Revision No.3830 of 2019
Date of decision: 15.07.2019**

Harinder Kaur

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. R.P.S. Brar, DAG, Haryana.

Ritu Bahri, J.

Challenge is to the order dated 09.05.2019 (Annexure P-1) passed by the Executing Court to the extent of directing the petitioner to furnish indemnity and surety bonds for disbursement of compensation at the rate of Rs.1560/- per sq. meter.

Learned counsel for the parties are not in dispute that a Co-ordinate Bench of this Court in **Premjit Singh & another vs. State of Haryana & others**, CR No.10290 of 2018 (decided on 19.12.2018) has held that if, an award of compensation has attained finality, in that circumstances, the Executing Court cannot impose a condition of indemnity and surety bonds.

In the present case, as per judgment dated 11.09.2018 passed in

The State of Haryana and others vs. Diljit Singh & others, Civil Appeal

Nos.9226-9331 of 2018 (arising out of SLP (C) Nos.8831-8936 of 2018), compensation at the rate of Rs.1560/- sq. meter was awarded to the claimants and this has been held to be finalized. With respect to the claim beyond Rs.1560/-, the matter has been remanded back to the High Court. Hence, the Executing Court cannot impose a condition of deposit of indemnity and surety bond with respect to the compensation at the rate of Rs.1560/-.

In view of the above, present petition is allowed and the impugned order dated 09.05.2019 (Annexure P-1), to that extent, is set aside.

15.07.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No