

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 10286 of 2018
Date of decision: 6.3.2019

**Union of India through Secretary Ministry of Road Transport &
Highways and another**

.. Petitioners

v.

Manjit Singh and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

**Present: Mr. D. K. Prajapati, Advocate for
Mr. Raghujeet Singh Madan, Advocate for the petitioners.**

...

AVNEESH JHINGAN, J. (Oral)

The present civil revision petition has been filed being aggrieved of the order dated 15.12.2018 passed by the Additional District & Sessions Judge-VIII, Jalandhar (hereinafter described as 'Executing Court') in the execution application ordering arrest of Vishal Gupta, Regional Officer of National Highway Authority of India (for short, 'NHAI'), Sector 4, Panchkula and detaining in civil prison for a period of two months.

The brief facts of the case are that the respondents filed an execution application seeking execution of the award dated 23.7.2009 passed by Commissioner, Jalandhar Division, Jalandhar-cum-Arbitrator, as modified vide judgment dated 19.4.2016 passed by the Additional District Judge, Jalandhar. In the said execution application, the Executing Court came to the conclusion that the Regional Officer of NHAI is not making payment as per the award and hence the impugned order was passed.

On 18.12.2018, this Court passed the following order:

“Learned counsel for the petitioners states that payment in dispute before the Executing Court has already been made yesterday. He further undertakes that the concerned officer shall file an affidavit before the Executing Court to the said effect.

Notice of motion for 6.3.2019.

In the meantime, arrest of Mr. Vishal Gupta is stayed.”

As per office report, service of the respondents is complete. No one puts in appearance on their behalf.

Learned counsel for the petitioners states that the award has been duly executed as the amount has been deposited and an affidavit to this effect, if not filed, will be filed within two weeks before the Executing Court.

In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as having been rendered infructuous. In case any grievance survives, the respondents would be at liberty to revive the present petition.

(AVNEESH JHINGAN)
JUDGE

6.3.2019
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No