

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

**CR-249-2020(O&M)
Date of decision: 14.01.2020**

Block Development and Panchayat Officer, Jandiala

.....Petitioner

Versus

Sarabjit Singh (Deceased through L.Rs) and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.V.K.Sandhir, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

Challenge is to the correctness of order dated 15.12.2018 passed by the Executing Court directing judgment debtor to comply with the order of the Court.

Plaintiffs-decree holders had filed a suit for mandatory injunction seeking direction of the Court to the respondents to remove a pucca passage which has been laid on the land of the plaintiffs. The Court of District Judge passed a decree to the aforesaid effect.

Proceedings for execution of the aforesaid decree are pending before the Executing Court.

Learned counsel for the petitioner after arguing for some time and realizing the difficulty in persuading the Court to take a different view, prayed that the petitioner may be permitted to withdraw the petition with liberty to move an application before the Executing Court to satisfy the claim of the plaintiffs-decree holders by offering

alternative land of the equivalent value or even little more, keeping in view the fact that a pucca public passage has now been laid.

In view of above, present petition stands dismissed as withdrawn, with liberty aforesaid.

14.01.2020
rekha
Whether speaking/reasoned
Whether Reportable

(ANIL KSHETARPAL)
JUDGE
Yes / No
Yes / No