210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-2320 of 2020 (O&M)
Date of Decision: 07.12.2020.

Buildwell Construction Company

...Petitioner

V/S

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Prayer in the instant civil revision, *inter alia,* is to direct the Executing Court below to expedite the pending execution petition bearing No. 104 of 2017 filed by the petitioner for implementation of award dated 20.04.2017.

2. Present petition has been filed by Mr. Yoginder Sareen, one of the partners of the firm, who had set up the firm along with other family members. He is stated to be a senior citizen aged 82 years, suffering from cancer and in dire need of money. Instead of implementing the award dated 20.04.2017, pronounced in favor of petitioner, after culmination of litigation/ arbitration proceedings, the respondent is making the petitioner run from pillar to post. Notwithstanding, that award was rendered more than three and a half years ago, the respondent State has not complied with the same. Resultantly execution proceedings have been instituted and yet no result so far.

3. Owing to pandemic restrictions, execution proceedings are being adjourned from time to time, which has left the partner of the firm to fight for his life for

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not being able to afford his medical treatment. The dire necessity of payment of money, as per award, needs to ensured on humanitarian grounds alone, contends the counsel.

4. In the peculiar circumstances, without commenting on the merits of the case, instant civil revision is disposed of with a request to the Executing Court to take up the pending execution petition on priority basis. Given the advanced age of the partner of the petitioner firm, coupled with the stage of his medical condition, it is but fair that pending execution petition be proceeded with, as expeditiously as possible, in accordance with law. It would be appreciated if appropriate arrangements are made for hearing of the case through video conferencing so that the pending execution petition can be disposed of by observing the necessary pandemic precautions.

5. Disposed of with aforesaid observations.

December 07, 2020 **(ARUN MONGA)**
Jiten **JUDGE**

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

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