

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

114

CR No.8163 of 2019 (O&M)
Date of decision : 17.01.2020.

Varinder Singh and another

... Petitioners

Versus

Amritsar Improvement Trust, Amritsar and another

.. Respondents

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Varinder Kumar Sandhir, Advocate for the petitioners.

Anupinder Singh Grewal, J. (Oral)

CM-25721-CII-2019

This is an application for impleadment of Secretary, Department of Local Government, Punjab as respondent No.2.

Learned counsel for the applicant-petitioners contends that although the suit was decreed in favour of the petitioners that they have to be allotted a plot by the Improvement Trust (respondent No.1), the Executing Court has also passed several orders but the matter is getting delayed for want of approval by the Government. He has referred to the various orders passed by the Executing Court in this regard. The order passed by the Executing Court on 21.04.2017 is reproduced herein under:-

'The Ld. counsel for the JD stated that the resolution for allotment of two plots measuring 250 square yards each has been passed by the Deputy Commissioner-cum-Chairman, AIT and sent to the Secretary, Local Bodies for approval. The report is awaited. Adjourned to 21.04.2018 for awaiting the report.'

The orders passed thereafter indicate that the report is still awaited.

Warrants of attachment of the property of judgment-debtor were also issued.

Issue notice in this application.

At the asking of the Court, Mr. K.K. Bheniwala, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the non-applicant/respondent.

Heard. For the reasons stated in the application, the same is allowed

subject to just exceptions and the Secretary, Department of Local Government, Punjab is impleaded as respondent No.2. Amended Memo of Parties is taken on record.

Main case

Learned counsel for the petitioners contends that the suit had been decreed in favour of the petitioners for allotment of a plot. He also contends that the petitioners had also filed execution petition but the stand taken by respondent No.1(Improvement Trust) is that the matter is pending consideration of the Secretary, Local Government, Punjab. The case has been repeatedly adjourned on this ground. The decree was passed in the year 2008 and the petitioners have been denied the fruits of the litigation. He also contends that he is confining his prayer in this petition for issuance of direction to the Executing Court to conclude the proceedings expeditiously.

Issue notice to the respondents.

At the asking of the Court, Mr. K.K. Bheniwala, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of respondent No.2.

Heard.

In view of the limited prayer of the petitioner, the petition is disposed of with a direction to the Executing Court to conclude the execution proceedings expeditiously preferably within six months, in accordance with law.

It is made clear that the observations made herein shall not have any bearing on the merits of the controversy before the Executing Court.

(ANUPINDER SINGH GREWAL)
JUDGE

January 17, 2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No