

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

CWP-19982-2021 (O&M)

Date of decision: 01.10.2021

Kamla Rani and another

...Petitioners

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikas Mehsempuri, Advocate for the petitioners

Mr. S.K.Sharma, Advocate for UOI

Mr. Ayush Sarna, AAG, Punjab

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition, the petitioners pray for issuance of a writ in the nature of Mandamus. It is not in dispute that the execution petition filed by the petitioners for enforcement of the award passed by the Arbitrator under the National Highways Act, 1956 is pending before the Executing Court. Learned counsel representing the petitioners contends that the Executing Court has not taken effective steps to execute the decree to recover the amount.

No doubt, due to the outbreak of COVID-19 pandemic, the Courts were functioning in a restricted manner for the last more than one year, however, now the situation has improved and the District Courts have resumed normal functioning. Once the petitioners have already availed the remedy of execution, which is an appropriate remedy, it is not appropriate for the Court to entertain the writ petition. Hence,

the writ petition is disposed of with a liberty to the petitioners to file an appropriate application in the pending execution petition.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

01.10.2021
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(ANIL KSHETARPAL)
JUDGE

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