

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

122

**CR-1439 of 2019 (O&M)
Date of decision: 14.07.2022**

Kashmir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Abhinav Sood, Advocate, for
Mr. Vikram Singh, Advocate,
for the petitioner.**

Mr. Harsh Vardhan, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

The Executing Court after noticing that the land is recorded as “Shamlat Deh Hasab Rasad Rasta Arazi Khewat” has held that the execution petition is not maintainable. It was noticed that the Collector (the competent authority) vide judgment dated 31.03.2008 declared the land to be “Shamlat Deh” which was confirmed in appeal by the appellate Court. Thereafter, the matter was remanded back to the Collector.

The learned counsel representing the petitioner admits that the Collector has once again declared that the land is “Shamlat deh”. However, he claims that the writ petition in the High Court assailing the correctness of the order passed by the Collector is pending.

Keeping in view the aforesaid facts, the revision petition is dismissed. However, the petitioner shall have the liberty to file an application for revival of the execution petition, if there is any declaration to the fact that the land is not “Shamlat Deh”.

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

July 14, 2022
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(ANIL KSHETARPAL)
JUDGE

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