

287 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-537-2023

Decided on:-02.08.2023

Improvement Trust, Patiala

....Petitioner...

VS.

Rameshwar Singh thr. his LRs and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.P. Garg, Advocate,
for the petitioner.

Mr. Hardip Singh, Advocate,
for the respondents.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition, challenge has been laid to an order dated 23.05.2022 passed by the Executing Court-cum-Civil Judge (Senior Division), Patiala, whereby, warrants of attachment was issued qua the property owned by the petitioner-trust.

2. Faced with the acquisition of their land, respondents availed their remedies for seeking enhancement of compensation also by way of filing CWP-14934-2013 titled as "Rameshwar Singh vs. State of Punjab and others", which was decided by this Court vide judgment dated 02.07.2013, awarding enhancement in their favour.

3. Based thereupon, execution petition was filed, wherein, vide order dated 23.05.2022, Executing Court issued warrants of attachment of the property owned by petitioner-trust on account of non-filing of counter calculations at its instance.

4. Learned counsel for the petitioner-trust submits that counter calculations shall be submitted on behalf of the petitioner-trust within a period of two weeks from today.

5. A perusal of the impugned order shows that warrants of attachment were mainly issued on account of non-filing of calculations by the petitioner-trust. Therefore, in case, the counter calculations are furnished by the petitioner-trust before the Executing Court within a period of two weeks from today, the Executing Court shall recall the warrants of attachment issued vide order dated 23.05.2022 and conclude the execution proceedings within a period of 6 months thereafter. However, it is made clear that in case, the petitioner-trust fails to submit counter calculations within above-mentioned period, the present petition shall be deemed to have been dismissed.

6. Accordingly, the present petition is disposed of in view of the aforesaid terms.

Pending application(s), if any, stand(s) disposed of.

02.08.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No