

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 7058 of 2018****Date of Decision: 04.12.2023**

O.P.Saini

... Petitioner(s)

Versus

Smt. Darshna and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Ajit Singh Lamba, Advocate
for the petitioner(s).Mr. Ajay Jain, Advocate
for the respondents.**Anil Kshetarpal, J.**

1. The Hisar Adarsh Co-operative Non Agriculture Thrift and Credit Society Limited (hereinafter referred to as “the Society”) filed the proceedings which subsequently resulted into a compromise decree passed by the Lok Adalat on 29.11.2014. The judgment debtor (respondent) undertook to pay ₹8,00,000/- to the Society upto 01.06.2015. Subsequently, the Society, through O.P.Saini, filed the execution petition on the basis of the authorization given by the Society in favour of Sh. O.P.Saini. After some time, the Administrator of the Society was appointed and authorization in favour of O.P.Saini came to an end. The judgment debtor produced a receipt of ₹9,80,000/- which has already been paid. The execution petition has been dismissed by the Executing Court. This revision petition has been filed by O.P.Saini in his personal capacity.

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with their able assistance, perused the paper-book.

3. On a Court question with regard to maintainability of the revision petition, the learned counsel representing the petitioner submits that the Executing Court has made an observation that the petitioner i.e. O.P.Saini has received the entire amount from the judgment debtor and now the Society will take steps to recover the amount from the petitioner.

4. This Court has considered the submissions of the learned counsel representing the parties.

5. This revision petition has been filed to challenge the correctness of the order passed by the Executing Court while consigning the execution petition to the record because the judgment debtor has already made the payment. The scope of the execution petition is to ensure implementation of the award or decree. The petitioner has no locus to challenge the correctness of the order passed by the Executing Court while disposing of the execution petition as satisfied.

6. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

December 04, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No