

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

132

2023:PHHC:102204

CR-759-2020

Date of decision: 08.08.2023

KAKA SINGH

..Petitioner

Versus

**LOHAR MAJRA KALAN COOPERATIVE
AGRICULTURAL SERVICE SOCIETY LTD**

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.V. Sharma, Sr. Advocate
with Ms. Pooja Yadav, Advocate
for the petitioner.

Mr. Akhil Singh Arora, Advocate
& Mr. Harjot Singh Bedi, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The correctness of order passed by the Executing Court on 24.09.2019 while refusing to attach the amount has been assailed in this revision Petition.

2. On the one hand, the learned Senior counsel representing the petitioner contends that despite the award passed by the Labour Court in the year 1998, which in appeal was upheld by the Supreme Court. The petitioner is not being paid the amount, whereas, on the other hand, the learned counsel representing the respondent submits that he has been paid more than Rs.10,00,000/-.

3. In substance, the petitioner wants an order of attachment of the amount lying in the bank account of the respondent. The Court has found that the respondent-Society is suffering loss and in fact the entry in the accounts is merely an entry.

4. Keeping in view the facts of the case, the Executing Court is requested to determine the liability of the respondent-Society, at the first stage. Thereafter, it shall proceed in accordance with law to ensure execution of the award passed by the Labour Court by passing appropriate orders in accordance with law within a period of six months.
5. With these observations, the present petition is disposed of.
6. All the pending miscellaneous applications, if any, are also disposed of.

August 08th, 2023
Ay

(ANIL KSHETARPAL)
JUDGE

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