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

**CM-2633-CWP-2023 &
CM-9891-CWP-2023 IN/AND
CWP-20052-2017 (O&M)
Date of decision:24.08.2023**

JASWANT SINGH

...Petitioner

Versus

STATE OF PUNJAB & ORS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Ms. Rajwinder Kaur, Advocate for the petitioner.

Ms. Monika Jalota, Sr. DAG, Punjab

SURESHWAR THAKUR, J. (ORAL)**CM-2633-CWP-2023 & CM-9891-CWP-2023**

Allowed as prayed for, subject to all just exceptions.

Main case

1. It appears that the grievance which is ventilated in the instant writ petition, relates to dereliction on the part of the decree-holder concerned, to completely enforce the binding, and, conclusive verdicts of eviction, as became passed in respect of the petition lands. The said binding, and, conclusive decisions are respectively embodied in Annexures P-3 and P-7. Annexure P-8 is the verdict made by this Court on 19.01.2012, whereby both Annexures P-3 and P-7, as became drawn in respect of the petition lands, became affirmed.

2. Therefore, the above binding, and, conclusive verdicts of eviction waere required to be put to completest enforcement.

3. Normally the decree-holder concerned, which is the Gram Panchayat alone holds the requisite *locus standi* to, in case the learned

Executing Court concerned, was derelicting in enforcing the above binding, and, conclusive verdicts of eviction, passed in respect of the petition lands, thus to seek the apposite enforcement, but yet one Jaswant Singh, the present petitioner, who is not impleaded as a party in the verdicts (supra), has accessed this Court for the above purpose.

4. Resultantly, the petition instituted by (supra), is but without his having any *locus standi*. Nonetheless in the larger interest of justice, if the above binding, and, conclusive verdicts of eviction remain yet unexecuted, at the instance of the decree-holder concerned, thereupon the decree-holder concerned, if not already instituted, is directed to forthwith institute an execution petition before the learned Executing Court concerned, and, if already instituted, and, if there is delay on the part of the learned Executing Court, to completely enforce the said binding, and, conclusive verdicts of eviction in respect of the writ lands, thereupon the learned Executing Court concerned, is directed to forthwith ensure the completest execution of the above binding, and, conclusive verdicts of eviction, but after hearing all affected persons concerned.

5. If the execution petition has not been filed as stated (supra), it be filed forthwith, and, on its becoming preferred before the learned Executing Court concerned, the latter shall most expeditiously, but in accordance with law make a lawful speaking decision thereon.

6. Disposed of accordingly.

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

(SURESHWAR THAKUR)
JUDGE

24.08.2023

Ithlesh

Whether speaking/reasoned:-
Whether reportable:

Yes/No
Yes/No

(KULDEEP TIWARI)
JUDGE