

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210)

CWP-25561-2018 (O&M)

Date of decision: - 17.07.2023

Chandro Devi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Mohit Rathee, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana
for respondents No.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent No.3 to decide the execution dated 18.08.2017 (Annexure P-2) filed by the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner is presently 80 years of age and the Sub-Divisional Magistrate, Rohtak vide order dated 03.05.2017 (Annexure P-1), after observing that the petitioner is a widow lady and a senior citizen, had granted Rs.14,000/- per month as maintenance allowance and respondents No.4 and 5 were directed to pay Rs.7,000/- each on the 10th date of every month and also directed to give space to the petitioner on the ground floor of the house. It is contended that since respondents No.4 and 5 did not fulfill the said order, thus, the execution petition (Annexure P-2) was filed by the

petitioner, which is pending till date. It is submitted that in the present writ petition, none had appeared on behalf of respondent Nos.4 and 5 on the last date of hearing and even no reply has been filed and even today no one has appeared on behalf of them, thus, the petitioner would be satisfied in case the Sub Divisional Magistrate, Rohtak is directed to decide the execution petition of the petitioner as expeditiously as possible in a time bound manner and take appropriate action against respondents No.4 and 5 in accordance with law.

3. Learned State counsel has submitted that every effort would be made by the Sub-Divisional Magistrate, Rohtak to decide the said execution petition as expeditiously as possible.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to the Sub-Divisional Magistrate, Rohtak to decide the execution petition (Annexure P-2) as expeditiously as possible, preferably, within a period of three months from the date of receipt of certified copy of this order.

5. It is made clear that this Court has not opined on the merits of the case and the concerned Court would decide the matter independently, in accordance with law.

6. Pending application, if any, stands disposed of in view of the above.

July 17, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No