

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

106

CWP-27581-2022

Date of Decision : 15.02.2023

KRISHAN

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

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

Present : Mr. Sumit Singh Bairagi, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. A.G., Haryana.

SURESHWAR THAKUR, J. (Oral)

1. Learned counsel for the petitioner states, at the bar, that the order of eviction as becomes embodied in Annexure P-1, and, as became passed against the respondents-encroachers, upon, the petition lands hence has acquired finality. Furthermore, he also states, at the bar, that subsequently the said order of eviction has resulted in the decree holder concerned, one Krishan, the petitioner herein, instituting an application for executing the said order, and, thereafter, the warrants of possession becoming issued by the learned Collector concerned.

2. However, since there is no objective satisfaction recorded by the learned Collector concerned, about the makings of completest execution, and, enforcement of the said warrants of possession. Therefore, the petitioner has motioned this Court, that a mandamus be made upon the Court of first instance or upon the Executing Court, to,

making an order that the said verdict of eviction has been completely, and, efficaciously hence executed.

2. Given the above made statement, at the bar, by the learned counsel for the petitioner in respect of finality and conclusivity being acquired of Annexure P-1, and also further, when it is revealed, that in pursuance to the filing of the execution petition rather the warrants of possession have been issued by the learned Collector concerned. However, yet evidently no satisfaction has been recorded by the learned Collector concerned, about the makings of completest execution of the said warrants of possession.

3. Therefore, the petition is disposed of with a direction, to the learned Collector concerned, to ensure that the warrants of possession, as became issued for executing the decree of eviction, passed against the judgment debtors concerned, become lawfully fully executed, rather positively within three weeks from today.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

15.02.2023
kavneet singh

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