

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

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CR-7247-2019

CR-7248-2019

CR-7257-2019

Date of decision: 05.01.2023

M/S SAINI ORCHIDS PRIVATE LIMITED

..Petitioner (s)

Versus

STATE OF HARYANA AND OTHERS

..Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Abhinav Sood, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

NIDHI GUPTA, J (Oral)

The Executing Court after noticing that the land is recorded as “Shamlat Deh Hasab Rasad Rasta Arazi Khewat” has held that the execution petition is not maintainable. It was noticed that the Collector (the competent authority) vide judgment dated 23.04.2013 declared the land to be “Shamlat Deh” which was confirmed in appeal by the appellate Court. Thereafter, the matter was remanded back to the Collector.

The learned counsel representing the petitioner admits that the Collector has once again declared that the land is “Shamlat deh”. However, he claims that the writ petition in the High Court assailing the correctness of the order passed by the Collector is pending.

Keeping in view the aforesaid facts, the revision petitions are dismissed. However, the petitioner shall have the liberty to file an application for revival of the execution petition, if there is any declaration to the fact that the land is not “Shamlat Deh”.

All the pending miscellaneous application(s), if any, are also disposed of.

Photocopy of this order be placed on the connected file(s).

**(NIDHI GUPTA)
JUDGE**

05.01.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No