

In the High Court of Punjab and Haryana at Chandigarh

[112]

CWP-962-2024

Date of Decision: 16.01.2024

SUBHASH CHANDER RAWAL PETITIONER
VERSUS

STATE OF HARYANA AND OTHERSRESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Dr. Sumati Jund, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. A.G. Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. Learned counsel for the petitioner has asked for the makings of promptest successful and completest execution of verdicts of eviction, as respectively enclosed in Annexures P-1 and in P-2, but the said submission relating to conclusivity becoming acquired by the said annexures, on instructions from Sh. Shakti Singh, BDPO, Bapoli, District Panipat, is rather opposed by the learned State counsel, inasmuch as, he submits that a revision petition thereagainst is pending before the Ld. Commissioner, Karnal.
2. Without going into the question of maintainability of the said revision petition, as sub judice before the Ld. Commissioner concerned, the fact that the said annexures, have not acquired conclusive and binding effect, which they would otherwise acquire upon the said revision petition, being also dismissed, by a valid order becoming recorded thereons, thus by the Ld. Commissioner concerned. Therefore, for want of, yet no conclusive binding effect being acquired by Annexures P-1 and P-2. Thereby, this Court is constrained not to make any mandamus either upon the decree holder

concerned, or upon the Ld. Executing Court concerned, to most promptly ensure the successful execution of the said made verdicts of eviction.

3. However, it is clarified that if the decision affirming Annexures P-1 and P-2 is made by the Ld. Commissioner concerned, thereupon, if the said decision remains unassailed by the aggrieved therefrom, judgment debtors concerned, thereupon, it is open to the present petitioners, to in accordance with law access this Court, for seeking the mandamus, as sought for, in the instant writ petition.

4. Disposed of, accordingly.

(SURESHWAR THAKUR)
JUDGE

(HARSH BUNGER)
JUDGE

January 16, 2024
Anjal*

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