

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

227

CWP-16157-2020

Date of Decision: 06.02.2024

SHAHBAJ SINGH AULAKH

... Petitioner

VERSUS

PUNJAB MARKFED AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Gurnoor Singh Sandhu, Advocate
for the petitioner.

Mr. Vikas Singh, Advocate
for respondents No.1 and 2.

Ms. Anju Sharma Kaushik, DAG, Punjab
for respondents No.3 to 5.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the orders dated 17.03.2020 (Annexure P-8) and 17.06.2020 (Annexure P-9) passed by respondent No.2 – Managing Director, Punjab Markfed & respondent No.3- Deputy Commissioner, Amritsar respectively, whereby they have ordered the attachment of the property of petitioner i.e. agricultural land measuring 95 kanals - 11 marlas.

Learned counsel for the petitioner contends that there is no decree / order passed by any Competent Authority quantifying any recoverable amount from the petitioner and that the commercial dispute, if any, was between respondent-Markfed and a company namely India Pride. He contends that the issue has already been decided by this Court vide *judgment dated 12.05.2022* passed in *CWP No.21994 of 2020* titled as *Rajender Singh Gill Vs. State of Punjab and others*.

Learned counsel for the respondent-Markfed has been unable to distinguish the applicability of ratio of law laid down by the abovesaid judgment passed in the matter of ***Rajender Singh Gill (Supra)***.

The present petition is accordingly allowed in terms of the judgment dated 12.05.2022 passed in the matter of ***Rajender Singh Gill (Supra)***. Consequently, the impugned orders dated 17.03.2020 (Annexure P-8) and 17.06.2020 (Annexure P-9) regarding attachment of property of the petitioner are hereby set aside.

FEBRUARY 06, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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