



115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-6605-2019 (O&M)

Date of decision : 24.02.2025

Alamjit Singh

...Petitioner

Vs.

The Secretary, Transport Department,
Govt of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. K.S. Lakhanpal, Advocate
for the petitioner.

Mr. Anil Bansal, DAG, Punjab.

ANIL KSHETARPAL, J. (Oral)

1. On 27.01.2015, the petitioner's suit was decreed in the following manner:-

"in view of my finding in the aforesaid issues the suit of the plaintiff succeeds and the same is hereby decreed to the declaration that the impugned order dated 16-4-2008 is null and void. The defendants are directed to reconsider the case of the plaintiff regarding fixation of pay and allowances preferably within six months from the date of receiving the judgment.

Decree sheet drawn, file be consigned to the record room."

Pronounced in open court".

2. He filed an execution petition. During the execution petition, the petitioner was paid an amount in a staggered manner. Subsequently, an objection petition was filed by the respondent-department claiming that he has been paid the pay alongwith all other benefits including revised pension, gratuity, leave encashment, death-cum-retiral benefits, dearness relief etc. Hence, the execution is liable to be dismissed.



3. The petitioner claims that he has not been paid entire amount.
4. The scope and ambit of Executing Court is to implement the decree. It is evident that the only decree passed in favour of the petitioner is in a way of a direction to respondent to re-consider the petitioner's case regarding fixation of pay and allowances preferably within a period of 06 months. Admittedly, the respondent has fixed the petitioner's pay and allowances and paid certain amount. Keeping in view the aforesaid facts, the Executing Court has disposed of the revision petition.
5. Heard the learned counsel representing the parties at length and with their able assistance perused the paper-book.
6. Learned counsel representing the petitioner contends that neither the pay of the petitioner has been properly fixed nor he has been paid the entire amount.
7. This Court has considered the submissions made by the learned counsel representing the parties.
8. It is evident that directions issued by the Court which forms part of the decree is only to re-consider the case. Admittedly, the respondent has already considered and paid certain amount. In such circumstances the petitioner, if so advised, may avail his remedy in accordance with law.
9. With these observations, the revision petition is disposed of.
10. All the pending miscellaneous applications, if any, are also disposed of.

24.02.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No