



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-7518-2025

Date of decision : 10.11.2025

Municipal Corporation, Amritsar

... Petitioner

Versus

Harbeer Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.D.V. Sharma, Senior Advocate with
Mr.Shivanshu Sharma, Advocate
for the petitioner.

Mr.Vishal Sodhi, Advocate
for respondent no.1 alongwith
respondent no.1 in person.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 20.09.2025 (Annexure P-1) passed by the Civil Judge (Jr.Div.), Amritsar, vide which warrants of attachment have been issued.

2. On 27.10.2025, this Court was pleased to pass the following order:-

*“Present:- Mr. D.V. Sharma, Senior Advocate, with
Ms. Shivani Sharma, Advocate
for the petitioner.*

*Inter alia, contends that the petitioner had filed an
application for modification of the award dated 09.12.1999
Annexure P-2) on the ground of fraud. It is submitted that the*

2025:PHHC:154156



said application is pending. It is further submitted that in the execution proceedings, the account of the Municipal Corporation has been attached and has prayed that the petitioner would pay the entire amount along with interest to respondent No.1 but the same be paid to him subject to surety and also subject to the decision in the application for modification of the award dated 09.12.1999.

Notice of motion for 10.11.2025.

Notice re: interim as well.

Liberty is granted to the petitioner to serve respondent No.1 through dasti process as well as through the counsel appearing for him before the executing Court.

To be taken up in the urgent list.

As undertaken before this Court, the petitioner would bring a demand draft of amount which is due to respondent No.1 on the next date of hearing which would be paid to respondent No.1 subject to the conditions to be detailed on the next date of hearing.

October 27, 2025”

3. Learned senior counsel for the petitioner in pursuance of the order dated 27.10.2025 has handed over three demand drafts totaling to an amount of Rs.29,65,562/- and a photocopy of the said drafts is taken on record as Mark A and the original drafts have been handed over to the counsel for the contesting respondent no.1-decree holder, which fact has been reiterated by learned counsel for respondent no.1-decree holder. Learned senior counsel for the petitioner has submitted that the said payment has been made subject to decision in the application for modification of the award dated 09.12.1999 which has been filed by the



petitioner-Municipal Corporation, Amritsar and has prayed that in view of the same, the warrants of attachment be set aside.

4. Learned counsel for respondent no.1, on the other hand, has submitted that in the present case in addition to the amount which has been paid to respondent no.1, substantial balance amount is still due to respondent no.1 and respondent no.1 be permitted to pursue his execution application with respect to the balance amount. It is submitted that after the Executing Court crystallizes the said amount, it be kept open to the Executing Court to further proceed in the matter in accordance with law.

4. During the course of arguments, a very fair stand has been taken by the learned senior counsel for the petitioner as well as by the learned counsel for respondent no.1-decree holder and in view of the fair stand taken on behalf of the both the sides, the present revision petition is disposed of on consent basis with the following observations / directions:-

- i) Since the drafts are in the name of the Registrar, Hon'ble Punjab and Haryana High Court, the office of the Registrar of this Court is requested to credit the same into the relevant account and thereafter release the said amount to the respondent no.1-decree holder (Harbeer Singh), who is present in person and has been recognized by his counsel. The payment of the said amount to the respondent no.1 would be subject to the order passed in the application for modification of the award dated 09.12.1999 (Annexure P-2) filed by the petitioner



(Municipal Corporation, Amritsar).

- ii) It would be open to the respondent no.1-decree holder to pursue the execution and to agitate the point that the amount over and above the amount which has been paid by the petitioner to respondent no.1 today, is due to respondent no.1. It would also be open to the petitioner to raise all pleas in their defence in the said proceedings. Needless to say in case the Executing Curt comes to the conclusion that further amount is due to respondent no.1, then, further proceedings in accordance with law would be initiated by respondent no.1 and present order would not come in the way of the Executing Court.
- iii) Since at this stage, the amount which as per the petitioner is due to respondent no.1 has been paid, the order of warrants of attachment issued against the petitioner is set aside but the said directions would not in any way prejudice direction no.(ii) issued by this Court.

(VIKAS BAHL)
JUDGE

November 10, 2025.
Davinder Kumar

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