

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

**Civil Revision No. 2038 of 2014  
Date of decision: - 19.03.2014**

**Improvement Trust Patiala**

**...Petitioner**

**Versus**

**Amar Singh Ahluwalia and others**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR**

Present: Mr. R.S. Modi, Advocate  
for the petitioner.

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Mehinder Singh Sullar, J. (Oral)

The challenge in this revision petition preferred by the petitioner Improvement Trust, Patiala (for brevity “the petitioner Trust”), is to the impugned order dated 01.03.2014 (Annexure P-1), by virtue of which, the Executing Court has dismissed its petition (Annexure P-2) for restitution of the amount under Section 144 CPC and directed it to pay the remaining amount of compensation of the acquired land to respondent No.1/land-owner/person interested.

2. What cannot possibly be disputed here is that, the Tribunal has already assessed the market value of the acquired land of the land-owners, by means of award dated 28.09.2012. Sequel, all the land-owners were held entitled to the interest and all statutory benefits. Instead of making the

payment of the awarded amount to the land owners, the petitioner Trust filed the objection petition, which was dismissed by the Executing Court, vide order dated 18.12.2013. Again, the petitioner Trust moved the petition (Annexure P-2), containing similar objections. Having examined the matter in the right perspective, the Executing Court has already dismissed its petition, by means of impugned order dated 01.03.2014 (Annexure P-1).

3. After arguing the matter for some time, when this Court was not inclined to entertain this petition against the impugned order (Annexure P-1), in exercise of superintendence jurisdiction under Article 227 of the Constitution of India, then learned counsel intends to withdraw the instant petition to enable the petitioner Trust to avail its appropriate legal remedy, to challenge the main award of the Tribunal in appropriate Court.

4. Dismissed as withdrawn, with the aforesaid liberty, as prayed for.

March 19, 2014  
naresh.k

(Mehinder Singh Sullar)  
Judge