

**109 KANWAR NARESH SINGH SODHI  
VS  
STATE OF PUNJAB AND OTHERS**

Present: Mr. Vivek Suri, Advocate  
Mr. Abhishek Sanghi, Advocate  
Mr. Dushyant Godara, Advocate  
Ms. Kritika Sharma, Advocate  
for the petitioner.

Mr. Animesh Sharma, Addl. A.G, Punjab.

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1. The present revision petition was filed in the year 2023 and vide order dated 17.04.2023, this Court disposed of the present revision petition with a direction to the Executing Court to dispose of the execution filed by the petitioners expeditiously but not later than 6 months. The order was passed on 17.04.2023, since then the Executing Court is asking for extension of time to decide the execution filed by the petitioner.

2. The relevant para 5 of order dated 17.04.2023 passed by this Court in CR-2181-2023 is reproduced as under:-

*“5. Be that as it may, since execution proceedings were initiated almost 8-year ago in the year 2015 and despite petitioner having got a decree in his favour, he is yet seeking execution of the same in his favour, it is expected of learned Executing Court that it shall proceed further in the matter without granting unnecessary adjournments and dispose of the same as expeditiously as possible, but not later than 6 months.”*

3. Thereafter, application for extension of time dated 26.09.2023 was moved by Ms. Lovepreet Kaur, PCS, Civil Judge, Junior Division, Guruharsahai, which was received by Registrar General of this Court on 28.09.2023.

4. The application for extension of time dated 26.09.2023 is reproduced as under:-

*“It is humbly submitted that at the time of passing of the aforesaid order dt.17.04.23 by the Hon'ble Punjab & Haryana High Court, the case was pending for filing reply by the Govt. Pleader to the application of the Decree Holder. Later on, after filing the reply by Govt. Pleader, the said application was disposed of vide order dt.08.05.23 vide detailed order wherein directions were issued to SSP and SHO concerned to look into the matter personally and to provide requisite police assistance. Also the Collector Ferozedur was intimated through separate letter alongwith copy of order of the Hon'ble High Court. Thereafter, warrants of possession were issued which were received back unexecuted as the list of property does not pertain to the property of which possession is to be granted to the Decree holder. Thereafter, again concerned Tehsildar was summoned upon which, Kanugo Suninder Kaur appeared and made statement that jamabandi is regarding property owned by Gram panchayat and case was further adjourned for issuance of fresh warrants of possession and the Decree holder was directed to furnish requisite list of property within stipulated time. However, in this case, warrants of possession were duly issued time and again but the same could not be executed due to the various specified reasons i.e. police assistance was not readily available as the same was pre-occupied and engaged in flood affected areas. In this context, the worthy SSP Ferozepur was separately directed to comply the order regarding execution of warrants of possession vide detailed order dt.08.05.23 (by providing requisite police assistance for execution of warrants of possession in timely manner and on promptness basis by looking into*

*the matter by paying personal attention). Separate intimation directing the worthy Deputy Commissioner Ferozepur, who is also one of the Judgment Debtors in execution proceedings, was also issued to direct the machinery concerned regarding execution of warrants of possession.*

*However, in the meanwhile, an application Under Order 21 Rule 32 CPC was filed by Decree holder. Similarly, another miscellaneous application was filed by Judgment debtors No.3 and 4 for de-attachment of land on behalf of gram panchayat. Thereafter, none appeared on behalf of Government pleader/judgment debtors No.1,2,5 to 7 for two consecutive dates of hearing due to which the above said miscellaneous applications could not be disposed of in time and the case was slated for 20.09.23, on which date of hearing, another adjournment was sought by Sh. Navroop Singh SDE on behalf of XEN, PWD (B&R) Ferozepur for filing reply to the application under Order 21 Rule 32 CPC vide his separately recorded statement. Subsequently, case was adjourned to 27.09.23 for filing reply to the application under Order 21 Rule 32 CPC.*

*Hon'ble Sir, in the present set of facts and circumstances, the requisite compliance regarding disposal of the matter within the prescribed time could not be made. However, strenuous efforts are being made by the undersigned to dispose of the matter in promptness.*

*Therefore, in view of the technical reasons detailed above, it is respectfully submitted that the stipulated time for disposal of the case may kindly be extended, in the interest of justice.”*

5. The reasoning given for extension of time in the above referred to application is vague and shows lack of due diligence on the part of learned

Executing Court. A bare perusal of the above referred to application shows that learned Executing Court has expressed its inability to issue direction to Senior Superintendent of Police, Ferozepur and Deputy Commissioner, Ferozepur to provide necessary police assistance. Further adjournment was granted to the judgment debtors, on account of their non-appearance, thereby affording them additional time. Such conduct shows a casual approach on the part of learned Executing Court. It is pertinent to note that as per the procedure laid down under the law, the Executing Court is having vide power under the statutory provision and can proceed in the manner as prescribed to get the execution done. In ordinary course, no Executing Court would seek an extension of time on such grounds. Such kind of applications shows their incompetency.

This Court however, vide order dated 18.10.2023, allowed the application and the extension of two months was granted for disposing of the execution proceeding, which is reproduced as under:-

*“Application herein is for seeking extension of time to dispose of case titled "Kanwar Naresh Singh Sodhi v. State of Punjab and others" which has been ordered to be decided within six months.*

***For the reasons stated in application, same is allowed and time to decide the aforesaid case stands extended by another two months'.***”

6. Thereafter, another application for extension of time dated 14.12.2023 was moved by Ms. Lovepreet Kaur, PCS, Civil Judge, Junior Division, Guruharsahai, which was received by Registrar General of this Court on 15.12.2023.

7. The application for extension of time dated 14.12.2023, is reproduced as under:-

*"It is respectfully submitted that vide captioned order dated 18.10.2023 passed by the Hon'ble Punjab and Haryana High Court, in CR-2181-2023 (O&M) titled as. "Kanwar Naresh Singh Sodhi Vs. State of Punjab & Ors.", this court was directed to dispose of the matter as expeditiously as possible but not later than two months. It is humbly submitted that initially requisite warrants of possession in the execution application were issued, which have been received back unexecuted. Already, the separate letters to worthy SSP, Ferozepur and worthy Deputy Commissioner, Ferozepur, who is also one of the Judgment debtors in execution proceedings has been issued to direct the machinery concerned regarding due execution of the processes issued by the court. However in the meanwhile an application under Order 21 Rule 32 CPC was filed by the decree holder. In the meanwhile another miscellaneous application was filed by the judgment debtor no.3 and 4 for de-attachment of the land on behalf of Gram Panchayat. Later on, on the respective dates of hearing the requisite replies in the above stated application has been filed by the respective parties. But later on, in the mean time the third party objections were filed by the third party objector in the execution application. In the interest of just case was adjourned to file the requisite reply by the decree holder to the said third party objections.*

*Respected sir due to the filing of third party objections and the other two miscellaneous applications as stated above during the pendency of the execution application, in the present set of circumstances and facts, the requisite compliance regarding disposal of the matter*

*within the prescribed time could not be made. However, strenuous efforts are being made by the undersigned to dispose of the matter in promptness. All the strenuous efforts shall be taken by the court to dispose of the execution application in the timely manner by taking due care and caution.*

*Therefore, in view of the technical reasons detailed above, it is respectfully submitted that the stipulated time for disposal of the case may kindly be extended, in the interest of justice.”*

8. A perusal of above referred to application dated 14.12.2023 seeking further extension of time shows that grounds urged therein for extension of time are substantially identical to those taken in earlier application dated 26.09.2023.

9. This Court vide order dated 26.02.2024, further granted 3 months time to the Executing Court and directed to decide the case and thereafter submit compliance report.

The order dated 26.02.2024 passed by this Court, is reproduced as under:-

*“Application is for seeking extension of time by learned trial Court to dispose of the case titled 'Kanwar Naresh Singh Sodhi vs. State of Punjab and others', which has been ordered to be decided within six months.*

***For the reasons stated in the application, same is allowed. Three months time is further granted to learned trial Court to decide the aforesaid case and thereafter, compliance report in this regard be submitted by learned Executing Court.”***

10. Subsequently, yet another application for seeking extension of time dated 03.07.2024 was moved by Mr. Davinder Singh, PCS, Civil Judge, Junior Division, Guru Har Sahai, which was received by Registrar General of this Court on 05.07.2024.

11. The application for extension of time dated 03.07.2024, is reproduced as under:-

*“It is respectfully submitted that vide captioned order dt.17.04.23 passed by the Hon'ble Punjab & Haryana High Court, in CR-2181- 2023(O&M) titled as "Kanwar Naresh Singh Sodhi Vs. State of Punjab & Ors.", this court was directed to dispose of the matter as expeditiously as possible but not later than 6 months. It is humbly submitted that on dated 29.04.2024 calculation sheet has been submitted by the parties but the report regarding settlement of the compensation by meeting with the appropriate authority not received and thereafter the case was fixed for awaiting report regarding settlement of the compensation by meeting with the appropriate authority. Hon'ble Sir, in the present set of facts and circumstances, the requisite compliance regarding disposal of the matter within the prescribed time could not be made. However, strenuous efforts are being made by the undersigned to dispose of the matter in promptness.*

*Therefore, in view of the technical reasons detailed above, it is respectfully submitted that the stipulated time for disposal of the case may kindly be extended, in the interest of justice.”*

12. A perusal of above referred to application dated 03.07.2024 clearly indicates that the respondents are employing dilatory tactics and gaining time by getting the matter adjourned and the Executing Court instead

of ensuring timely compliance of decree appears to be facilitating such delays by extending undue accommodation to respondent-State.

13. Despite this, this Court vide order dated 24.07.2024, allowed the application and granted further period of three months to decide the execution with a clear caveat that no further indulgence would be shown.

The order dated 24.07.2024, is reproduced as under:-

*“Application is for seeking further extension of time by learned trial Court to dispose of the case titled 'Kanwar Naresh Singh Sodhi vs. State of Punjab and others', which has been ordered to be decided within six months.*

*Learned counsel for the non-applicant/petitioner submits that decree holder is not able to get the fruits of the litigation.*

***It is noted that this is the second time an extension of time has been sought. However, for the reasons stated in the application, same is allowed. Three months time is further granted to learned trial Court to decide the aforesaid case and thereafter, compliance report in this regard be submitted by learned Executing Court.***

***It is made clear that no further indulgence for extension of time shall be granted. Needless to mention, parties are directed to cooperate in the decision of the case.”***

14. Notwithstanding, the aforesaid caution, yet another application for extension of time dated 23.10.2024 was moved by the same judicial officer Mr. Davinder Singh, PCS, Civil Judge, Junior Division, Guru Har Sahai, which was received by Registrar General of this Court on 24.10.2024.

15. The said application for extension of time dated 23.10.2024, is reproduced as under:-



*“It is respectfully submitted that vide captioned order dated 24.07.2024 passed by the Hon'ble Punjab & Haryana High Court, in CM- 12294-CII-2024 IN CR-2181-2023(O&M) titled as "Kanwar Naresh Singh Sodhi Vs. State of Punjab & Ors.", this court was granted three months time further, to dispose of the matter. It is humbly submitted that in the present case, warrant of possession were issued many a times, with the directions to be executed with the help of police. However, on 25.09.2024 the decree holder requested in the court for following the report of SDM and Deputy Commissioner regarding settlement between the parties. Separate letters have been written to the SDM and the Deputy Commissioner but report regarding settlement between the parties has not been received till date. The undersigned has discussed the matter with both the parties to find out an amicable and expedite solution in the matter and both the parties agree that the matter can be sought out by settlement between the parties.*

*Hon'ble Sir, in the interest of justice and to expedite the proceedings of the present execution case, the report of SDM and Deputy Commissioner is awaited for the same. However, strenuous efforts are being made by the undersigned to dispose of the matter in promptness.*

*Therefore, it is, respectfully submitted that the stipulated time for disposal of the case may kindly be extended, in the interest of justice.”*

16. A perusal of above referred to application dated 23.10.2024 for further extension of time shows that yet again the reasoning given for seeking extension is that the matter can be amicably settled down between the parties therefore, the extension is asked for.

17. Nevertheless, vide order dated 18.11.2024, this Court allowed the application and the period of three months was granted to decide the execution, which is reproduced as under:-

*“A letter has been received from the Civil Judge (Jr.Divn.), Guruhar Sahai by the Registrar General of this Court seeking extension of time to dispose of the case.*

*A perusal of the office report as well as paper book shows that the execution application was filed in the year 2015 and repeatedly extension has been sought which has been granted.*

*However, keeping in view the fact that it has been stated that on 25.09.2024, the decree holder had requested the Court for report of SDM and Deputy Commissioner regarding settlement between the parties, this Court grants a further period of three months to conclude the execution proceedings.*

*CM stands disposed of.”*

18. Yet again, another application for extension of time dated 17.02.2025 was moved by Mr. Davinder Singh, PCS, Civil Judge, Junior Division, Guru Har Sahai, which was received by Registrar General of this Court on 19.02.2025.

19. The application for extension of time dated 17.02.2025 is reproduced as under:-

*“It is respectfully submitted that vide captioned order dt.18.11.2024 passed by the Hon'ble Punjab & Haryana High Court, in CM- 20290-CII-2024 In CR-2181-2023 titled as "Kanwar Naresh Singh Sodhi Vs. State of Punjab & Ors.", this court was directed to dispose of the matter as expeditiously as possible but not later than 3 months. However, communication between the office of Tehsildar*

*concerned and Deputy Commissioner Ferozepur for acquiring the land in the present execution application is underway besides legal opinion have been sought by the office of DA concerned for proceeding further in the matter. Hon'ble Sir, in the present set of facts and circumstances, the requisite compliance regarding disposal of the matter within the prescribed time could not be made. However, strenuous efforts are being made by the undersigned to dispose of the matter in promptness.*

*Therefore, in view of the technical reasons detailed above, it is respectfully submitted that the stipulated time for disposal of the case may kindly be extended, in the interest of justice”*

20. A perusal of above referred to application dated 17.02.2025 for further extension of time shows that now, nearly a decade after filing the execution in the year 2015, the execution proceedings are still stalled by the Executing Court and the reasoning given this time by the Executing Court for extension of time is, that the legal opinion have been sought by District Attorney concerned for proceeding further in the matter. This recurring pattern of seeking extension shows that the Executing Court is apparently trying to help the judgment debtors by asking for extension of time again-and-again.

On 06.05.2025, the following order was passed by this Court:-

*“Suit for mandatory injunction to make payment of the compensation to the plaintiff (petitioner herein) was decreed by the trial Court way back on 13.08.2014 by issuing a mandate to the effect that defendants shall make payment of compensation to the plaintiff after acquiring the suit land in accordance with the provisions of the Land Acquisition Act within a period of 06 month from*

*that day (date of decree dated 13.08.2014), failing which the plaintiff will be entitled to recover the possession of the suit land from the defendants. That judgment of the Trial Court attained finality up to this Court, inasmuch as the appeal of the defendants was dismissed by the First Appellate Court on 28.11.2016 and then the regular second appeal was dismissed by this Court on 02.08.2017. The decree holder – plaintiff filed execution wherein every sort of attempt was made by the defendants-judgment debtors to create obstacles by filing objections after objections/supplementary objections, all of which have been dismissed from time to time.*

*2. Petitioner was compelled to approach this Court by filing CR No.2181 of 2023 for directing the Executing Court to decide the execution petition in question in time bound manner. This Court by way of order dated 17.04.2023 granted 06 months time to complete the execution proceedings. Since the execution could not be disposed of within the time granted by the Court, repeated extensions were granted by this Court vide orders dated 18.10.2023, 26.02.2024, 24.07.2024 and 18.11.2024.*

*3. Now another letter dated 17.02.2025 has been received from the concerned Executing Court for granting more time for disposal of the execution.*

*4. This Court in its order dated 06.03.2025 noted the order dated 04.12.2024 of the Executing Court, as per which warrant of possession of the property in question was received with the report that possession of the property cannot be taken as roads, buildings and houses had already been constructed by public at large and in the circumstances J.D. was directed to start acquisition proceedings to acquire the suit land under the provisions of Land Acquisition Act. It was noted by this Court that without acquiring the property by the Government and*

*without making any payment of compensation, the roads, buildings and houses had already been constructed and J.D. had failed to even start the execution proceedings so as to acquire the land in question. On 06.03.2025, learned State counsel had prayed for adjournment to get instructions in the matter, but today also, he is unable to convey any instructions.*

*5. Considering all the aforesaid facts and circumstances, the Deputy Commissioner/Collector, Ferozepur is directed to file his detailed affidavit regarding the compliance of the decree dated 13.08.2014 passed by the Court, which has been upheld up to this Court apart from other steps taken to make compliance of the orders passed in the execution proceedings regarding either delivering the possession of the suit property to the decree holder or to make any compensation amount or to initiate any step for acquiring the land. The said affidavit must be placed before this Court on or before 21.05.2025 positively. The State counsel is directed to convey the said order to the concerned Deputy Commissioner, immediately for strict compliance.*

*To be shown in the urgent list.”*

21. In compliance of order dated 06.05.2025, Ms. Deepshikha, IAS, Deputy Commissioner, Ferozepur, Punjab has filed an affidavit on 20.05.2025.

22. The relevant para 3 and 4 of the affidavit filed by Ms. Deepshikha, IAS, Deputy Commissioner, Ferozepur, Punjab, are reproduced as under:-

*“3. That, in this regard, it is submitted that on the receipt of the copy of the above order, the office of the deponent wrote a letter dated 19.05.2025 to the Special Secretary to*

*Government of Punjab, Public Works Department, Chandigarh, requesting that an advisory be issued as per the orders of the Hon'ble High Court as to whether the possession is to be delivered or the compensation be paid or the acquisition proceedings be started in view of the letter issued by Revenue Department, Government of Punjab vide memo no.24/12/2024-LRI(I)/5605 Dated: 08.05.2025, so that the orders of the Hon'ble High Court shall be complied with in true letters and spirit. A true copy of the letter dated 19.05.2025 is being annexed herewith as ANNEXURE R-1.*

*4. That further action in the matter will be taken on the receipt of the response to the above letter 19.05.2025 from the office of the Secretary to Government of Punjab, Public Works Department, Chandigarh.”*

23. On 21.05.2025, the following order was passed by this Court:-

*“In compliance of the order dated 06.05.2025, although the affidavit of Ms. Deepshikha Sharma, IAS, Deputy Commissioner, Ferozepur, Punjab has been filed on behalf of respondent-State today in Court, which is taken on record, however, learned State counsel makes a request for adjournment for one week to file detailed affidavit of the concerned officer to apprise this Court about the latest position.*

*Adjourned to 27.05.2025”*

24. On 27.05.2025, the following order was passed by this Court:-

*“Learned State counsel submits that though he has received the affidavit of the concerned officer, but the same is required to be vetted.*

*As per his request, adjourned to 29.05.2025.”*

25. On 28.05.2025, the following order was passed by this Court:-

*“A detailed affidavit of Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B & R), Punjab on behalf of respondent Nos.5 to 7 has been filed in the Court today. Copy thereof has been supplied to the counsel opposite. It is a voluminous affidavit accompanied by numerous documents.*

*Adjourned to 24.07.2025 for arguments.”*

26. The relevant paras of an affidavit filed by Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab are reproduced as under:-

*“9. That earlier the Judgment debtor had filed objections against the judgment and decree dated 13.8.2014. However, vide Order dated 16.2.2016, the aforesaid objections were dismissed.*

*i. Copy of objections dated 30.11.2016 is annexed as ANNEXURE R-4.*

*ii. Copy of order dated 16.12.2016 dismissing the objections is annexed as ANNEXURE R-5.*

*10. That meanwhile, the concerned official of PWD department filed application before the Learned Executing Court to handover the possession of the alleged roads to decree- holder, after taking opinion from the Learned Advocate General, Punjab. Copy of application dated 2.8.2019 for handing over the possession of the suit land is annexed as ANNEXURE R-6.*

*11. That it is imperative to mention here that the Department of PWD had never taken possession over the suit property. Infact, the part of the suit property was link roads, having kacha rastas, which were metalled by the Department by PWD for the public welfare. Moreover, such metalled roads are comprised in very minute fraction of the Suit land. Thus, the Department of PWD is*

*neither in possession of the Suit Land nor has any management and control over the same.*

*13. That it is matter of record that the Plaintiff/Petitioner is not the owner of the entire suit property rather, is allegedly a co- sharer in the aforesaid suit property.*

*14. That the claim of the Plaintiff/Petitioner as raised in the civil suit regarding the possession and occupation of the Department of PWD in the suit land is totally contrary to the record. In this regards, the report with regards to the suit land has been obtained from the revenue department. As per the report, the suit property is not only comprised in roads but has been utilized by the local Panchayats for common purposes as well as by certain individuals as well who have constructed residential houses. Further, even the roads comprised in the aforesaid suit land comprised of both pakka road as well as Kacha road. The Department of PWD had only dealt with pakka roads by metalling them. However, while metalling such roads, the Department of PWD never interfered with the possession or ownership or the management and control of the said roads. Further, as far as the kacha road is concerned the same are still within the purview of local Panchayats.*

*15. That as mentioned above, the Department of Public works neither had any management and control nor any possession over the suit property. It has simply metalled the Kacha Road upon the specific demand raised by various departments from time to time. The Department of Public Work can only repair or maintain the road in question. However, the Department of Public Work had got no power to get the land vacated since it has no management and control or ownership over the suit property.*



16. That a detailed report regarding the ownership, possession and land use status, indicated in the current Jamabandi as well as Misal Haqiyat, of the lands involved in these Court cases, has been obtained from the Tehsildar, Guru Harsahai. This report clearly shows that the land use as recorded in revenue record is "Share-aam" indicating public thoroughfares. The ownership recorded is also in the name of Joint Proprietors, which has been statutorily mandated under Section 42-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act 1948 (Copy of Govt. of Punjab letter Memo No. 17/19/2002 C.H-5/6161 dated 09.08.2007 is attached herewith), as land reserved for common purposes and to be continued to be used so and also to be recorded in the Record of Rights as "Jumla Malkan". In the ownership column of Revenue record pertaining to this land, as indicated in the report obtained from Tehsildar Guruharshai, "Jumla Malkan" should have been recorded as the correct status as per the rules, not the names of "individual land owners, as hitherto has wrongly been continued.

17. That the order dated 26.7.2022 is illegal and contrary to the law settled by the Hon'ble Supreme Court in case titled *The State Of Haryana Through Secretary vs Jai Singh And Ors. Etc. 2022 (2) RCR (Civil) 803* wherein, in para 49 of the judgment, the Hon'ble Court held as under:

"49. The lands which, however, might have been contributed by the proprietors on pro-rata basis, but have not been reserved or earmarked for common purposes in a scheme, known as Bachat land, it is equally true, would not vest either with the State or the Gram Panchayat and instead continue to be owned by the proprietors of the village in the same proportion in which they contributed

*the land owned by them. The Bachat land, which is not used for common purposes under the scheme, in view of provisions contained in Section 22 of the Act of 1948, is recorded as Jumla Mustarka Malkan Wa Digar Haqdaran Hasab Rasad Arazi Khewat but the significant difference is that in the column of ownership proprietors are shown in possession in contrast to the land which vests with the Gram Panchayat which is shown as being used for some or the other common purpose as per the scheme."*

*18. That now after the rejection of the supplementary objections(supra) and despite the fact that the JDs had already filed application handing over the possession of the suit land as still further, despite the clear undertaking by the Petitioners they are not in possession of the suit land as the management and control lies with the respective Gram Panchayat, the Learned Executing Court vide impugned Order dated 4.12.2024, proceeded to direct the judgment debtors including the Petitioners to acquire the suit land in question with provision of Land Acquisition Act within 1 month. Copy of Order dated 4.12.2024 is annexed as ANNEXURE R-7.*

*19. That the order dated 4.12.2024 (ANNEXURE R-7) is also illegal and arbitrary, in view of the peculiar fact that the direction given was beyond the judgment and decree dated 13.8.2014. As per the judgment and decree dated 13.8.2014, the suit was decreed with directions to the judgment debtors to compensate the decree-holder by acquiring the suit land within 6 months failing which, it was held that plaintiff/Decree-holder would be entitled to possession of the suit land. Thus, the direction given by impugned order dated 4.12.2024 (ANNEXURE R-7) is beyond the scope of judgment and decree dated 4.12.2024.*

20. *That the very direction of the Court to the JD to acquire the land is not only arbitrary but is also unreasonable. As can be seen from the facts, the suit was filed by the DH/Petitioner after almost half a decade i.e. 50 years and during that time period many people developed rights over the land, whether ownership rights or possessory rights. The rights of such people were open, hostile and adverse or otherwise and these people have been living on that land since decades. During all this period, the petitioners/DH never raised any objection to such occupation of land by third parties as the petitioners were aware that cut being imposed on their land was by the operation of law i.e. by virtue of the Land Consolidation Act and it is for this reason that the DH/Petitioner was aware that no amount of objection by him at that time would make any difference when neither the said Act of law was under challenge nor the procedure adopted by the State was illegal. Not only this, even the old record which is of almost more than 50 years ago, is not easily traceable and the benefit of the same should not go to the petitioners/DH. Rather the presumption should arise against the petitioner/DH that the pro-rata cut on its land was accepted and acquiesced by the Petitioner/DH because of which the latter remained mute all throughout these years without raising any objection all these years. As mentioned above, the PWD/JD has given the application for giving the share of its land in the suit property to the DH/Petitioner. So far as other people are concerned, the DH has to avail his remedy against those people in accordance with law. But to direct and expect the State/Government to acquire the land for the benefit of the petitioner/DH, is per se untenable and unreasonable, as the same would cost hundreds of crores of rupees to the State Government as many such similarly*

*situated people will follow suit. Otherwise also, the decree clearly stated that if the land is not acquired then the same should be returned and the JD has already written to give possession of the part of the suit property over which JD had possession. So, the direction that the land be acquired is not tenable and in consonance with the decree thus passed. The DH can avail its separate remedy against the other persons who have no concern with the JD and the JD cannot be burdened with the direction to acquire the land when the said land is being possessed by third parties as the acquiring of land would cost huge financial burden as aforesaid and especially in the present case where the DH himself is at wrong. So the DH/petitioner cannot be given benefit of his own wrongs. In this regard it is equally pertinent to mention here that there can be no estoppels against a statute and any wrong stand taken by any official without consulting the other arraigned parties and without having any authority and that too without having jurisdiction or power over the matter such as getting the land vacated cannot bound the State Government/JD.*

*21. That even otherwise, vide application dated 2.8.2019 (ANNEXURE R-6), the plaintiff had already submitted application seeking handing over the possession of the suit property to the plaintiff. Therefore, viewed from any perspective, the directions issued impugned order dated 4.12.2024 are totally illegal and arbitrary.*

*22. That viewed from any perspective, the Department of PWD does not have the power to get the land in question vacated.*

*23. That it is apposite to mention here that similar situated persons (having common ancestors) as of the decree holders in the same vicinity, also filed similar civil suit on the same pattern. In the said civil suit, filed by the*

*said proprietors of the land in question wherein, certain Khasra numbers were common with those of the khasra numbers of the instant civil suit, though the suit was decreed vide judgment and decree dated 16.12.2019, in alignment with the judgment and decree dated 13.4.2014 of the instant case, however, vide judgment and decree dated 29.7.2024 passed in civil appeal bearing No.CA/34/2020 titled as State of Punjab Vs. Tejinder Singh and others, the judgment and decree dated 16.12.2019 was set aside inter alia while observing as under:*

*“24. The plaintiffs themselves have pleaded in the plaint is that at the time consolidation, appropriate cut was levied upon the holdings of ancestors of plaintiffs and a common pool was formed and the suit land was the part of that common pool alongwith some other land as per the provisions of East Punjab Holding (Consolidation & Prevention of Fragmentation) Act, 1948. Section 23-A of this Act reads as:.*

*25. By the time of re-partition, Consolidation Authorities had already applied a pro-rata cut on the holdings of proprietors and created "Jumla Mushtarka Malkan" for the panchayat and for other common purposes and an entry to that effect is incorporated in the new record of rights, referred to as the "Missal Haqiat", i.e. the first Jamabandi prepared after consolidation. As soon as a scheme is complete, the management and control of all land created assigned or reserved for common purposes of the village as "Jumla Mushtarka Malkan", under Section 18 and 23-A of the Consolidation Act and vests in the Panchayat of that village for the purpose of management and control, as clarified by Rule 16(ii) of the Consolidation Rules.*

26. *From the pleadings of plaintiffs, it is clear that common land was used for the purposes of roads etc. If any land out of common land carved out by way of pro-rata cut is found surplus (Bachat Land), a proprietor can claim possession of the same as proportionately to the pro-rata cut in his holding. Section 2 (bb) of The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 reads as: 2(bb) 'Common purpose' means any purpose in relation to any common need, convenience or benefit of the village); and includes the following purposes: -*

- (i) extension of the village Abadi;*
- (ii) providing income for the Panchayat of the village concerned for the benefit of the village community.*
- (iii) village roads and paths; village drains, village well, ponds or tanks, village water courses or water channels; village bus stands and waiting places; manure pits; hada rori; public latrines; cremation and burial grounds; Panchayat Ghar; Janj Ghar; Grazing grounds; tanning places; mela grounds; public places of religious or charitable nature; and*
- (iv) schools and play-grounds, dispensaries, hospitals and institutions of like nature; water works or tube wells whether such schools, playgrounds, dispensaries, hospitals, institutions, water-works or tube-wells may be managed and controlled by the State Government or not."*

27. *Para 49 of case law "The State of Haryana Through Secretary vs Jai Singh And Ors.Etc. 2022 (2) RCR (Civil) 803 of Hon'ble Supreme Court reads as.*

28. *In the present case, it is not the plea of plaintiffs that the land reserved for common purposes during the consolidation was more than the land specifically assigned for common purposes in the consolidation scheme and it surplus land or a Bachat land and left*

*unutilized. It is an admitted fact that on some land, roads have been constructed and some land has been used for the purpose of Abadi, phirni etc.*

*29. In view above detailed discussion, particularly the plea that suit land was a part of common pool alongwith some other land as per the provisions of said Act, this Court finds that the plaintiffs are not entitled to get relief of compensation, possession or of any other nature. The suit land is not surplus/Bachat land. The suit of the plaintiffs is not maintainable."*

*Copy of judgment and decree dated 29.7.2024 passed in civil appeal bearing No.CA/34/2020 is annexed as ANNEXURE R- 8."*

27. A perusal of para 3 of the affidavit filed by Ms. Deepshikha Sharma, IAS, Deputy Commissioner, Ferozepur, Punjab, shows that a letter dated 19.05.2025 was written to Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab, requesting that an advisory be issued as per the order of this Court as to whether the possession is to be delivered or the compensation is to be paid or acquisition proceedings be started in view of the letter issued by Revenue Department, Government of Punjab vide memo No.24/12/2024-LR(I)/5605 dated 08.05.2025. However, there is no reference in the affidavit of Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B & R), Punjab regarding the response to aforesaid letter dated 19.05.2025, of which Ms. Deepshikha, IAS, Deputy Commissioner, Ferozepur, Punjab, was awaiting action.

28. Para 18 and 19 of above referred affidavit of Special Secretary to Government of Punjab, Department of Public Works (B & R), Punjab, are

in substance nothing but arguments on the merits of the case as if Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B & R), Punjab, has challenged the order dated 04.12.2024 passed by the Executing Court, whereas, this order was never challenged. The affidavit thus shows total non-application of mind of Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab and a disregard for the settled principle of law that Executing Court cannot travel beyond decree. All the paras of affidavit filed by Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab are nothing but arguments on merits of the case, which has already stood decided in RSA-3843-2017 and RSA-3845-2017, vide judgment dated 02.08.2017.

29. The civil suit was instituted by the petitioner for mandatory injunction against the defendants to pay compensation along with interest at the rate of 18%, wherein, vide judgment and decree dated 13.08.2014, passed by learned Additional Civil Judge (Senior Division), Guru Har Sahai, the following relief was granted:-

*“33. In view of my findings on the above issues, the suit of the plaintiff succeeds and the same is, hereby, decreed. A mandate is issued to the defendants to make the payment of compensation to plaintiff after acquiring the suit land in accordance with the provision of Land Acquisition Act within a period of six months from today, failing which, the plaintiff will be entitled to recover the possession of the suit land from defendants. Decree-sheet be drawn accordingly. Un-exhibited documents and un-disbursed diet money be returned to the party concerned. File be*



*consigned to the Judicial Record Room, Ferozepur, after due compliance.”*

30. The respondent-State preferred an appeal against judgment and decree dated 13.08.2014, before learned Additional District Judge, Ferozepur, which was dismissed by learned Additional District Judge, Ferozepur, vide order dated 28.11.2015.

31. Thereafter, respondent-State filed RSA-3843-2017 against judgment dated 28.11.2016 and vide judgment dated 02.08.2017, this Court dismissed the regular second appeal filed by respondent-State.

32. Despite the fact that regular second appeal filed by State of Punjab against judgment dated 28.11.2016 was dismissed by this Court vide judgment dated 02.08.2017, the affidavit of the Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab, is replete, with submission effectively re-arguing the regular second appeal again. Such an affidavit is wholly unwarranted from an Officer of rank of Secretary. Significantly, there is not a single paragraph in the affidavit of the Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab explaining the prolonged non-execution of judgment dated 02.08.2017 passed in regular second appeal, which has attained finality. On the contrary the affidavit reflects an intentional effort to avoid compliance under one pretext or another.

33. This Court vide order dated 17.04.2023 passed in CR-2181-2023 directed Executing Court to conclude the execution proceeding within a period of six months. Thereafter, at least five extensions were granted by this Court, last extension was granted on 18.11.2024, and till 18.11.2024

beyond six months, further 11 months extension was granted to the Executing Court. Notwithstanding such indulgence till date, no effort has been made by the Executing Court to get the decree executed.

34. A perusal of all the above referred to applications for extension of time for disposal of the execution application shows that Executing Court has failed to discharge its duty under the Code of Civil Procedure, 1908 (in short 'CPC'). Instead, learned Executing Court is trying to justify the inordinate delay by citing untenable excuses such as of non-appearance of the government pleader/judgment debtor, want of police assistance, relying upon the communication between Tehsildar and Deputy Commissioner, Ferozepur, for awaiting 'legal opinion' from the office of District Attorney concerned for proceeding further in the matter, seeks time for executing the decree. Such reasons, in considered view of this Court are not legally sustainable in the eyes of law.

35. The record further reveals that Executing Court is in fact accommodating the respondent-State and not proceeding in accordance with law. The affidavit dated 28.05.2025, filed by Special Secretary to Government of Punjab, Department of Public Works (B & R), Punjab, reveals that the respondent-State has no genuine intention to comply with order dated 02.08.2017 passed in RSA-3843-2017. A perusal of zimni orders, shows that delay is solely attributable to respondent-State, while the learned Executing Court has been apparently accommodating the respondent-State by prolonging the proceedings.

36. A bare perusal of all the zimni orders as well as grounds given in five applications for extension after the directions dated 17.04.2023 given

by this Court in CR-2181-2023, reveals a disturbing pattern and this Court pains to observe that the Executing Court/judicial officers exercising the powers of Executing Court are not abiding by the oath administered to them at the time of their induction in judicial services. All the zimni orders coupled with the repeated requests for seeking extension by learned Judicial Magistrate First Class shows their conduct of apparently helping the respondent-State in delaying the execution, thereby benefitting the respondent-State. In ordinary course, such kind of zimni orders in execution are never passed by any Executing Court. In all the zimni orders as well as application for seeking extension of time before this Court, learned Judicial Magistrate First Class has shown his/her helplessness, weakness, lack of control and powerlessness. Such repeated expression of inability and repeated requests for extension of time by filing extension application suggests a manifest abdication of authority and control, which the Executing Court is duty bound to exercise under the law. Such passivity not only undermines the efficacy of judicial orders but also erodes public confidence in justice delivery system.

37. In each of the application for extension of time as referred to above, the reasoning given is the delay attributable on the part of respondent-State. This reasoning mirrors, almost verbatim, the stance taken by Ms. Hargunjit Kaur, IAS, Special Secretary to Government of Punjab, Department of Public Works (B&R), Punjab, in her affidavit dated 28.05.2025. Such a position clearly shows that the State does not want to comply with order dated 02.08.2017 passed in RSA-3843-2017, execution of which was filed in the year 2015 and is pending before learned Judicial

Magistrate First Class, Guru Har Sahai since 2015. The prolonged pendency now extending over a decade stands as a stark illustration of deliberate inaction.

38. Upon a closer examination of the zimni orders of the Executing Court and the affidavit of Ms. Hargunjit Kaur, IAS, it becomes apparent that both are substantially similar in tenor and substance. In both instances, the State is impermissibly attempting to reopen and argue the merits of the case before the Executing Court—a forum whose jurisdiction is strictly confined to enforcing the judgment and decree passed by this Court in regular second appeal. The fact that such merit-based arguments have been entertained by the Executing Court not only contravenes settled principles under Section 47 of the Code of Civil Procedure but also reflects a serious dereliction of duty on the part of both the Special Secretary and the learned Judicial Magistrate First Class. While this Court could elaborate further on such conduct, it refrains from doing so at this stage.

39. The Hon’ble Supreme Court in **Rahul S. Shah v. Jinendra Kumar Gandhi and others, (2021) 6 SCC 418**, has categorically mandated that all executing courts shall dispose of execution proceedings within six months from the date of filing. Any extension beyond this period can only be granted by recording specific reasons in writing for the delay.

40. The relevant portion of **Rahul S. Shah’s case (supra)** is reproduced as under:-

*“42. All courts dealing with suits and execution proceedings shall mandatorily follow the below mentioned directions:*

*42.1. In suits relating to delivery of possession, the court must examine the parties to the suit under Order 10 in relation to third-party interest and further exercise the power under Order 11 Rule 14 asking parties to disclose and produce documents, upon oath, which are in possession of the parties including declaration pertaining to third-party interest in such properties.*

*42.2. In appropriate cases, where the possession is not in dispute and not a question of fact for adjudication before the court, the court may appoint Commissioner to assess the accurate description and status of the property.*

*42.3. After examination of parties under Order 10 or production of documents under Order 11 or receipt of Commission report, the court must add all necessary or proper parties to the suit, so as to avoid multiplicity of proceedings and also make such joinder of cause of action in the same suit.*

*42.4. Under Order 40 Rule 1 CPC, a Court Receiver can be appointed to monitor the status of the property in question as custodia legis for proper adjudication of the matter.*

*42.5. The court must, before passing the decree, pertaining to delivery of possession of a property ensure that the decree is unambiguous so as to not only contain clear description of the property but also having regard to the status of the property.*

*42.6. In a money suit, the court must invariably resort to Order 21 Rule 11, ensuring immediate execution of decree for payment of money on oral application.*

*42.7. In a suit for payment of money, before settlement of issues, the defendant may be required to disclose his assets on oath, to the extent that he is being made liable in a suit. The court may further, at any stage, in appropriate cases during the pendency of suit, using*

*powers under Section 151 CPC, demand security to ensure satisfaction of any decree.*

*42.8. The court exercising jurisdiction under Section 47 or under Order 21 CPC, must not issue notice on an application of third party claiming rights in a mechanical manner. Further, the court should refrain from entertaining any such application(s) that has already been considered by the court while adjudicating the suit or which raises any such issue which otherwise could have been raised and determined during adjudication of suit if due diligence was exercised by the applicant.*

*42.9. The court should allow taking of evidence during the execution proceedings only in exceptional and rare cases where the question of fact could not be decided by resorting to any other expeditious method like appointment of Commissioner or calling for electronic materials including photographs or video with affidavits.*

*42.10. The court must in appropriate cases where it finds the objection or resistance or claim to be frivolous or mala fide, resort to sub-rule (2) of Rule 98 of Order 21 as well as grant compensatory costs in accordance with Section 35-A.*

*42.11. Under Section 60 CPC the term "... in name of the judgment-debtor or by another person in trust for him or on his behalf" should be read liberally to incorporate any other person from whom he may have the ability to derive share, profit or property.*

*42.12. The executing court must dispose of the execution proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay.*

*42.13. The executing court may on satisfaction of the fact that it is not possible to execute the decree without police assistance, direct the police station concerned to provide*

*police assistance to such officials who are working towards execution of the decree. Further, in case an offence against the public servant while discharging his duties is brought to the knowledge of the court, the same must be dealt with stringently in accordance with law.*

*42.14. The Judicial Academies must prepare manuals and ensure continuous training through appropriate mediums to the court personnel/staff executing the warrants, carrying out attachment and sale and any other official duties for executing orders issued by the executing courts.”*

41. In the present case, the reasons recorded by the Executing Court in its applications for extension of time do not disclose any genuine inability to decide the matter; rather, they reveal a pattern of granting repeated accommodations to the respondent-State to comply with the judgment dated 02.08.2017 passed in the regular second appeal. This conduct demonstrates a clear departure from the discipline mandated by the Hon’ble Supreme Court and amounts to permitting dilatory tactics contrary to the binding directions.

42. A perusal of the zimni orders shows that the respondent-State has been granted unwarranted adjournments, which amounts, in substance, to a contemptuous disregard of the above judgment.

43. The Hon’ble Supreme Court in **Bhoj Raj Garg v. Goyal Education and Welfare Society and others, SLP (C) No. 19654 of 2022, decided on 18.11.2022**, has reiterated that the executing court is duty-bound to conclude execution proceedings within six months in terms of **Rahul S. Shah’s case (supra)** and that every possible effort must be made to adhere to this strict timeline.

44. The relevant portion of **Bhoj Raj Garg's case (supra)** is reproduced as under:-

*“This means that it becomes the duty of the Execution Court to dispose of the execution proceedings at the earliest and since this Court has directed that the Execution Court must dispose of the execution proceedings within six months from the date of filing, which can be extended only by recording reasons in writing for such delay, this direction is meant to be observed. This would mean that every effort should be made to dispose of the execution petition within the said time limit and the Execution Court should have reasons for not being able to dispose of the execution petition. The Execution Court is duty bound to record reasons in writing when it is unable to dispose of the matter.”*

45. Similarly, the Hon'ble Supreme Court in **Periyammal (Dead) and others Vs. V. Rajamani and another, Civil Appeal Nos.3640-3642 of 2025, decided on 06.03.2025**, has held as under:-

*“2. The seeker of justice many a time has to take long circuitous routes, both on account of hierarchy of courts and the procedural law. Such persons are and can be dragged till the last ladder of the said hierarchy for receiving justice but even here he only breathes fear of receiving the fruits of that justice for which he has been aspiring to receive. To reach this stage is in itself an achievement and satisfaction as he, by then has passed through a long arduous journey of the procedural law with many hurdles replica of mountain terrain with ridges and furrows. When he is ready to take the bite of that fruit, he has to pass through the same terrain of the procedural law in the execution proceedings, the morose*



*is writ large on his face. What looked inevitable to him to receive it at his hands distance is deluded back into the horizon. The creation of the hierarchy of courts was for a reasonable objective for conferring greater satisfaction to the parties that errors, if any, by any of the lower courts under the scrutiny of a higher court be rectified and long procedural laws also with good intention to exclude and filter out all unwanted who may be the cause of obstruction to such seeker in his journey to justice. But this obviously is one of the causes of delay in justice. Of course, under this pattern the party wrongfully gaining within permissible limits also stretches the litigation as much as possible. Thus, this has been the cause of anxiety and concern of various authorities, legislators and courts. How to eliminate such a long consuming justice? We must confess that we have still to go a long way before true satisfaction in this regard is received. Even after one reaches the stage of final decree, he has to undergo a long distance by passing through the ordained procedure in the execution proceedings before he receives the bowl of justice.*

*The courts within their limitation have been interpreting the procedural laws so as to conclude all possible disputes pertaining to the decretal property, which is within its fold in an execution proceeding, i.e., including what may be raised later by way of another bout of litigation's through a fresh suit. Similarly, legislatures equally are also endeavouring by amendments to achieve the same objective. The present case is one in this regard. Keeping this in view, we now proceed to examine the present case.*

*In interpreting any procedural law, where more than one interpretation is possible, the one which curtails the procedure without eluding justice is to be adopted.*

*The procedural law is always subservient to and is in aid of justice. Any interpretation which eludes or frustrates the recipient of justice is not to be followed."* **[Shreenath & Anr. v. Rajesh & Ors reported in (1998) 4 SCC 543]**

3. We are tempted to preface our judgment with the above quoted observations of this Court made almost three decades back, as the situation remains the same even today. It is said that the woes for the litigants in this country start once they are able to obtain a decree in their favour and are unable to execute and reap its fruits for years together.

XXXX XXXX XXXX XXXX XXXX XXXX

75. In view of the aforesaid, we direct all the High Courts across the country to call for the necessary information from their respective district judiciary as regards pendency of the execution petitions. Once the data is collected by each of the High Courts, the High Courts shall thereafter proceed to issue an administrative order or circular, directing their respective district judiciary to ensure that the execution petitions pending in various courts shall be decided and disposed of within a period of six months without fail otherwise the concerned presiding officer would be answerable to the High Court on its administrative side. Once the entire data along with the figures of pendency and disposal thereafter, is collected by all the High Courts, the same shall be forwarded to the Registry of this Court with individual reports."

46. In the present case, the stated justification in all applications for extension is merely the inability of the State of Punjab to comply with the order dated 02.08.2017 passed in RSA-3843-2017. Such reasoning does not justify delay, it constitutes a calculated attempt to prolong execution and gain time. The zimni orders and repeated extension requests demonstrate that the

Executing Court has, in effect accommodated the respondent-State in non-compliance by granting serial adjournments, rather than exercising its authority to bring the matter to a close within the statutory framework.

47. Section 51 of the CPC confers wide powers upon the court to enforce execution. Part II of the CPC is devoted to execution, and Order XXI prescribes the procedure for execution of decrees and orders. While Order XVII of CPC pertaining to adjournments in suits restricts the grant of adjournments to not more than three, there is no provision under Order XXI that authorises the repeated adjournments witnessed here. This underscores that such latitude is legally impermissible.

48. The Executing Court was bound to conclude the execution application within six months of its filing. Yet, nearly a decade has elapsed since the initiation of execution in 2015, and no effective enforcement order has been passed. This prolonged pendency persists despite the binding mandate of **Rahul S. Shah's case (supra)**, delivered in 2021, requiring strict adherence to the six-month disposal period.

49. This Court vide order dated 17.04.2023 passed in CR-2181-2023, directed Executing Court to conclude the execution proceeding within a period of 6 months by observing that execution proceedings were initiated almost 8 years ago in the year 2015. Thereafter, further 11 months extension was granted to the Executing Court till 18.11.2024. Hon'ble Supreme Court in **Rahul S. Shah's case (supra)** passed in the year 2021 has categorically given timeline of 6 months for disposal of the execution proceedings from the date of its filing. Further that any extension beyond this period can only be granted by recording specific reasons in writing for the delay. This delay

refers to circumstances attributable to the Executing Court itself such as unavoidable procedural impediments or circumstances beyond its control. The said judgment does not contemplate, nor permit, delay on account of dilatory tactics or non-cooperation, or deliberate obstructions by judgment debtors. This Court directed the Executing Court to conclude the execution proceedings within a period of 6 months in the year 2023 and the judgment of Hon'ble Supreme Court is of the year 2021, which every Court is presumed to know and still Executing Court asked for extension of time beyond 6 months by filing almost five extension applications, which apparently shows to be filed at the behest of judgment debtors rather than the Executing Court itself. All the reasons for delaying execution beyond six months is because the judgment debtors are unable to comply with execution of the decree, which is passed in RSA-3483-2017 and which has attained finality since RSA-3483-2017 was never challenged by the respondent-State. Further, execution was filed by decree holder in the year 2015. After eight years, decree holder was forced to approach this Court for directions to the Executing Court to execute the decree which is in favour of the decree holder i.e. the petitioners. Since 2015 till 2025 i.e. almost a decade, the Executing Court is not able to perform its duty. This amounts to contempt of judgment passed by the Hon'ble Supreme Court in **Rahul S. Shah's case (supra)**. Rather not only the judicial officers, who are exercising the powers of Executing Court but the officers of the Punjab who are trying to delay are also causing disobedience of the judgment passed by the Hon'ble Supreme Court in **Rahul S. Shah's case (supra)** which if continued, would attract the consequences of willful disobedience as contemplated under law.

50. Accordingly, the District and Sessions Judge, Ferozepur, is directed to take immediate steps to ensure compliance of directions of Hon'ble Supreme Court in **Rahul S. Shah's case (supra)** and to issue appropriate directions to the Executing Court to proceed strictly in accordance with law.

51. The learned Judicial Magistrate First Class, Guru Har Sahai, shall decide the execution application within a maximum period of two months from the date of this order, on a day-to-day basis.

52. It is made abundantly clear that no further extension shall be granted by this Court under any circumstances.

53. A copy of this order be sent to all District and Sessions Judges of States of Punjab, Haryana, and the Union Territory, Chandigarh, who shall ensure strict compliance of directions issued by the Hon'ble Supreme Court in **Rahul S. Shah's case (supra)** in their respective jurisdictions. Any disposal of execution proceedings beyond six months from filing shall be treated as contempt of the said judgment.

54. A copy of this order be also sent to Chief Secretary, Punjab.

**August 01, 2025**

*Ayub*

**(SUDEEPTI SHARMA)  
JUDGE**