

CNR No.PBBT01-006237-2019

EXE 332 of 2019

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Malkiat Kaur Vs. Jeet Singh.

Present: Sh. SR Sharma, counsel for DH.
Sh. Amandeep Sharma, counsel for JDs no.2 & 3.
Execution against JD No.1 dismissed.

Cheque no.284963 dated 13.01.2020 amounting to Rs.2,00,000/- has been deposited by JD. Ahlmad is directed to deposit the cheque with the Nazir.

The perusal of the file shows that it is an execution of the Award of claim petition under Section 166 of the Motor Vehicle Act. In view of the law laid down in Bharti AXA General Insurance Co. Ltd. Vs. Samsuddin and others passed by the Hon'ble Punjab & Haryana High Court in CR No.2248 of 2017 decided on 08.09.2017, copy of which has been circulated to all the Executing Court to proceed with as per the provisions of Section 174 of Motor Vehicle Act for the recovery of compensation amount arising out of an Award by issuance of certificate by the Executing Court to the Collector and then the Collector to proceed to recover the amount mentioned in the Certificate, as arrears of land revenue.

As such in view of the aforesaid judgment of Hon'ble High Court, it is ordered that a certificate to the Collector Bathinda to proceed to recover the amount of compensation be sent to the Collector to recover the amount of compensation as arrears of land revenue. Claimant is directed to appear before the Collector Bathinda for further proceedings. The Collector is further directed to send the intimation to this court after recovery of amount for record. The Ahlmad is directed to send the Certificate under Section 174 of Motor Vehicle Act forthwith and consign this file to the record room.

(Mohammad Gulzar),
ADJ/Bathinda.
(UID PB 0063)

Date of Order : 18.01.2020
(Jatinder Singh)