

Manoj Kumar Vs State

Present Sh Vikrant Singh Verma Advocate for the DH(s)
 Sh Sushil Kumar GP for the JDs no.1 and 2
 Sh L.S.Raghav counsel for the JDs no.3 and 4

Reply to the application (filed by the JD No.4 seeking dropping the proceedings in the execution petition pending the RFA's No.4190, 4224 of 2017 and its connected matters before the Hon'ble High Court) not filed on behalf of DH(s). A long date is requested with a plea that the above said RFA's which are pending before the Hon'ble High Court are likely to be disposed off very shortly.

However, learned counsel for the JDs No.3 and 4 drew the attention of the Court towards the order dated 5.10.2018 passed by the Hon'ble Supreme Court of India in Special Leave Petition(Civil) Diary No.s31660/2018 arising out of the impugned final judgment and order dated 8.3.2018 in CM No.10038/2017 and its connected matters, by virtue of which the Union of India had been directed to determine the amount awarded by the Reference Court which is impugned in appeals before the Hon'ble High Court, after adjusting the amount already paid by the respondents, within six weeks from the order dated 5.10.2018. **It has been specifically mentioned by the Hon'ble Supreme Court of India in the above said order that the amount in question would be disbursed to the DH(s) depending upon the outcome of the appeals by the Hon'ble High Court Registry.**

The above said order is concededly there in existence. Hence in such circumstances, this court has no reason to keep the file pending any further till the RFA's referred to above are disposed off. **Accordingly, the present execution petition is disposed off as unsatisfied pending the RFA's in question. Nothing in this order would preclude the DH(s) to file afresh execution petition seeking the realization of the award in question as and when the RFA's preferred by the parties against the award of the Reference Court are disposed off. File after due compliance be consigned to the record room and be tagged with the file of LAC No.48/2013 decided on 15.3.2016.**

Announced in the open court
CNRNo.HRGR01-008218-2016
Date of Order 28.8.2019
naveen

Bhawna Jain
ADJ, Gurugram
UID HR0169