

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No.1272 of 2017 (O&M)
Date of Decision:-August 25, 2017

Shiv Narayan

.....Petitioner

Versus

**Shri N.K. Solanki, Deputy Commissioner-cum-Collector, Fatehabad
and others**

.....Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill

Present : Mr. Amit Choudhary, Advocate for the petitioner.

Mr. Ankur Mittal, Addl.A.G. Haryana.

Rajesh Bindal J:

The present contempt petition has been filed by the petitioner whose land was acquired by the State. The grievance raised is that in terms of the award of the reference Court, which was subsequently modified by this Court and the amount of compensation was enhanced, the amount was not being paid, though there was direction by the reference Court to pay the amount within one month from the date of award of the reference Court. Alleging violation thereof, the petitioner has filed the present contempt petition. It is not in dispute that the petitioner has already filed execution of the award, which is still pending before the Court below, still contempt jurisdiction has been invoked.

There had been lot of acquisition of land in the State. The issue was raised by the land owners regarding non-payment of compensation.

Number of writ petitions were filed in this Court. In CWP No.727 of 2017-
M/S Daulatram-Dharambir Auto Pvt. Ltd. V/S State of Haryana and others,
the matter was taken up by this Court and is being monitored to ensure that
all the land owners in the State, whose land has been acquired for use by the
Urban Estates Department, are paid the compensation.

It was submitted by learned counsel for the State that priority
list has been prepared in order of seniority i.e. firstly award of the Collector,
then award of the reference Court thereafter the amount, if any, enhanced by
the High Court and Hon'ble the Supreme Court. Priority list has been
prepared considering the time when the acquisition was carried out.
Approximate liability on account of compensation payable by the State to
different land owners was stated to be about ₹ 15,000/- crores. After the
aforesaid writ petition was taken up on 2.6.2017 and is being monitored by
the Court, out of the aforesaid amount, a sum of ₹ 4,043/- crores has already
been paid to the land owners and the priority list for payment of another
₹ 3,800/- crores has been uploaded on the website of Haryana Urban
Development Authority (HUDA). Out of this ₹ 3,200/- crores are available
with HUDA. Further arrangements are also being made.

Considering the aforesaid facts, we do not find any good
ground to continue with this contempt petition, the same is accordingly
dismissed.

Learned counsel for the State submitted that, he will sensitise
the officers to apprise all the land owners, whose compensation has not been
paid that priority list for payment of compensation has been uploaded on the
website of HUDA. Further in case their names are not reflected therein
though they have a claim which is admissible prior to the persons mentioned

in the list, to which authority they have to approach. He further submitted that a request shall be made to the Director, Development and Panchayat, to flash this message to the land owners through Gram Panchayats at the village level.

(Rajesh Bindal)
Judge

August 25, 2017

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No