

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

COCF No.2559 of 2014

Date of Decision :20.8.2015

Paramjit Kaur

....Petitioner

Versus

Sarvesh Kaushal and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Jaideep Verma, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

.....

MAHESH GROVER.J.

The order dated 23.1.2014, the non-compliance of which has been alleged, required the respondents to consider the claim of the petitioner for grant of an alternative plot in lieu of the land possessed by the petitioner which was required by the respondents for construction of a road. The Court had directed the respondents to assess the cost of super-structure and pay the requisite compensation to the petitioner within six months.

Reply filed by respondent No.3 now indicates that the land is no longer required for construction of road. The petitioner continues to be in possession of the land as also the super-structure.

Learned counsel for the petitioner contends that some of the portion of the super-structure has been damaged by the respondents and, therefore, she needs to be recompensed. Besides this, the electricity, water and sewerage connections were also disrupted which has resulted in inconvenience to the petitioner.

On due consideration of the matter, I am of the view that damage to the super-structure would be a fact to be established in accordance with law and in contempt jurisdiction this court would have no mechanism to assess as to what is the extent of damage to the same. The petitioner would be at liberty to raise this issue before the appropriate forum in the permissible proceedings.

In so far as the plea of the petitioner regarding disconnection of electricity, water and sewerage is concerned, the respondents are mandated to ensure that these facilities are restored to the petitioner forthwith, if not already done. The needful shall be done within a period of four weeks from the date of receipt of certified copy of this order.

Petition disposed of.

20.8.2015
dss

(MAHESH GROVER)
JUDGE