

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

COCP no.2994 of 2013(O&M)

Date of Decision :16.11.2015

Devinder Kumar and others

....Petitioner(s)

Versus

Sh. Pardeep Kumar Aggarwal

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.Dinesh Ghai, Advocate for the petitioner

Mr. S.C.Pathela, Advocate for the respondent

MAHESH GROVER, J.

Short affidavit on behalf of respondent has been filed in the Court today and the same is taken on record. A copy thereof has been supplied to the counsel opposite.

Pursuant to the previous orders of this Court the land of the predecessor in interest of the petitioner was acquired and according to the rules they were entitled to a plot of 500 sq. yards. Since the needful was not done it led to the filing of writ petition which was disposed of in the following terms:-

“In view of the fact that Improvement Trust has already resolved in favour of the petitioners and its decision has been duly approved by the State Government, we find no legal impediment against allotment of plots to the petitioners in the category of local

displaced persons. Consequently, we dispose of the writ petitions with a direction to the Deputy Commissioner-cum-Administrator, Improvement Trust, Roopnagar to take necessary action for allotment of plots to the petitioners in accordance with rules, within a period of four weeks from the date of receiving a certified copy of this order.

Ordered accordingly.”

Since the order of the writ Court was also not complied with the present contempt petition has been filed where now an affidavit has been filed stating that since a plot of 500 sq. yards was not available the present petitioners who are the legal representatives of Smt.Ram Jawai have been held entitled to a plot of 350 square meters (420 square yards). Since this offer was not acceptable to the petitioners, 3 plots measuring 125 square yards each have been given to all of them (i.e.legal representatives of Smt.Ram Jiwai)

Learned counsel for the petitioners states that this is a violation of the orders of the writ Court as the allotment has not been made in accordance with rules.

On due consideration of the matter, I find that the respondents have complied with order and if a plot of 500 square yards is not available they have adequately compensated the petitioners by giving them 3 plots of 125 square meters each. Consequently, rule against the respondents is discharged, leaving

the petitioners to their remedies in law in the event of their being any dissatisfaction. The respondents will conclude the process of allotment as indicated in the affidavit within a period of 2 months after the petitioners make the deposit in this regard.

Disposed of.

November 16, 2015
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(Mahesh Grover)
Judge