

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

COCP No.395 of 2015(O&M) in

CWP No.19737 of 2014

Date of Decision:-13.03.2015

M/s Manav Cables & Wires Ltd. & Anr.

.....Petitioners.

Versus

Brijendra Singh

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. J.S. Sidhu, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

Petitioner has filed the present petition under Section 12 of the Contempt of Court Act for initiation of contempt proceedings against the respondent-Chief Administrator, HUDA.

Having heard learned Counsel for the petitioner at length, this Court finds no grounds to initiate such proceedings.

It is stated that the petitioner by filing the CWP No.19737 of 2014 had challenged the acquisition of his land measuring 20 Kanals and 19 Marlas vide notification dated 7.8.2013 under Section 4 and notification dated 11.7.2014 under Section 6 of the Land Acquisition Act, 1894 (for short the 'Act') primarily on the ground that his objections under Section 5 (A) of the Act have been illegally dismissed and without considering his claim for release of the built up area comprising his factory premises along

with proportionate vacant area. It was given out before the learned Division Bench that a representation dated 3.7.2013 was pending before the Chief Administrator-HUDA resulting into passing of the directions to decide the representation within three months to the said Authority.

At the time of hearing, learned Counsel for the petitioner very fairly concedes that the acquisition proceedings are undertaken by the government and if any prayer for release has to be made, the same has to be addressed to the government and the office of the Chief Administrator-HUDA has no concern in either considering the objections or matter of release of land. Therefore, representation if any was required to be made to the government and accordingly directions sought to the government to consider the case for release of land of the petitioner.

Thus viewed, this Court finds no ground to call upon the respondent in the present contempt petition, however, the petitioner would be at liberty to avail his remedy in accordance with law.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

March 13, 2015
Vinay