

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

1. CR-3834-2014(O&M)

Saroj BhallaPetitioner

vs.

State of Punjab and othersRespondents

2. CR-3969-2014(O&M)

Saroj BhallaPetitioner

vs.

State of Punjab and othersRespondents

AND

3. CR-3833-2014(O&M)

Saroj BhallaPetitioner

vs.

State of Punjab and othersRespondents

Decided on: 13.07.2015

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr.V.K.Sandhir, Advocate for the petitioner.
Mr. PJS Hundal, AAG, Punjab.
Mr. Adarsh Jain, Advocate for respondents.
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Mahesh Grover, J

Since all the three revision petitions arise from the same cause of action and parties are also same, therefore, these are being decided by this order.

Facts are being taken from CR-3834 of 2014.

The petitioner has approached this Court with a grievance that amount on account of acquisition of her land has not been deposited despite

the conclusion of the matter.

This Court had determined the regular first appeal by virtue of the order dated 19.03.2013. The parties would, thus, be bound by the said order. An execution has already been preferred by the petitioner seeking release of the amount. This Court on 28.05.2014, passed the following order in CR-3834 of 2014:-

“ Notice of motion.

On the asking of the Court, Mr. Anant Kataria, AAG, Punjab accepts notice on behalf of respondents and prays for some time.

Adjourned to 28.07.2014.

Let entire amount of payment due to the petitioners be satisfied positively within a period of four weeks from today failing which the Court shall be constrained to take extremely serious view of the situation considering the fact that the land of the petitioners stood acquired in 1990 entitling them to compensation in lieu thereof.

Let respondent no.2 remain present in Court on the date fixed.”

Learned counsel for the petitioner contends that he would be satisfied if the petition is disposed of with the direction that the State deposit the amount on account of compensation for the acquired land as determined by this Court.

The applicants filed application seeking to be impleaded as party on the ground that they being sisters of the petitioner were also entitled to a share in the compensation.

The applicants concededly have not filed any petition under Section

13 of the Land Acquisition Act seeking apportionment of the compensation but instead of that a civil suit for injunction was filed which has been dismissed. Another suit for declaration regarding entitlement, as also, the objections in execution are pending.

Be that as it may, the limited prayer made in this petition is regarding release of the compensation.

In view of the finality of the proceedings in regular first appeal, the respondents would be bound to honour the same and pay compensation to the rightful claimants. Since the petitioner and the applicants are disputing and laying claim to the compensation, I would not deem it appropriate to comment on this controversy lest it prejudice the proceedings that have been initiated by the applicants. Suffice it to say, the petitions can be disposed of with a direction to the State to deposit the amount of compensation before the Executing Court within a period of six weeks' from today unless there is some other order to the contrary by the Court of competent jurisdiction. The petitioner and the applicants are left to the remedy available in accordance with law.

All the petitions alongwith civil misc. applications are disposed of accordingly.

13.07.2015
mamta

(MAHESH GROVER)
JUDGE