

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.22404 of 2016.

Date of Decision: October 27, 2016

Mithu Singh

.....Petitioner

versus

Punjab State Electricity Board and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

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

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The petitioner's land was acquired by State of Punjab for setting-up the Power Plant. He was dissatisfied with the compensation assessed by Collector, hence filed Reference under Section 18 of the Land Acquisition Act, 1894, followed by a Regular First Appeal in this Court in which the compensation was enhanced. The rate of compensation attained finality on 29.01.2015 and thereafter the petitioner is said to have filed execution proceedings which are still pending. The instant writ petition has been filed alleging that the respondent-authorities have not deposited any amount of compensation with the Executing Court and resultantly, no compensation has been paid to the petitioner.

We have heard learned counsel for the petitioner. In the absence of *zimine* orders on record, it is difficult to draw any inference that

the Executing Court has not taken steps for recovery of the compensation

amount. Suffice it to observe that there is ample power vested in the Executing Court to resort to lawful coercive means in the event of willful default on the part of the respondents in depositing the compensation amount. If the allegations are true, it is a case where the respondents are unnecessarily harassing the expropriated land-owners and the Executing Court ought to take necessary action in accordance with law to secure the due amount of compensation. We thus dispose of this writ petition without expressing any views on merits, with a direction to the learned Executing Court to make an endeavour to dispose of the execution proceedings being fully satisfied as early as possible but not later than four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 27, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No