

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

**C.O.C.P. No.1441 of 2015
Date of Decision: 08.05.2017**

Lilu Ram and others

..... Petitioners

Versus

T.L.Satyapakash, Deputy Commissioner, Gurgaon and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rakesh Dhiman, Advocate for the petitioners.

Ms. Shubhra Singh, Additional Advocate General, Haryana
for the respondents.

JASWANT SINGH, J. (Oral)

The petitioners have filed the present contempt petition as the respondents have violated the order dated 03.11.2009 (**Annexure P-2**) passed by this Court in CWP No.19760 of 2006. The said petition was disposed of and the matter was remanded to the Sub-Divisional Officer-cum-Allotment Authority to take steps for allotment of the land to respondents No.5 to 8 within a period of 3 months from the date of receipt of the order. It was also ordered that the allotment be made to respondents No.5 to 8 either from the surplus pool or from the other land of the State Government in accordance with Section 9-A of the Act. It was also ordered that thereafter, the order dated 24.3.1978 (Annexure P1) be executed by the Assistant Collector, Ist Grade, Ferozepur Jhirka. The parties were directed to appear before the Sub-Divisional Officer-cum-Allotment Authority, Gurgaon on 21.12.2009. Since the needful was not done, hence the present contempt petition.

This Court, vide order dated 11.03.2016, passed the following order:-

“ The stand of the State is that the land has already been allotted to the petitioners in compliance to the order passed by this Court. The possession is also being offered. The petitioners have not come forward to take the possession.

Learned counsel for the petitioners submitted that the land allotted to the petitioners is under encroachment. The petitioners are ready and willing to take the possession thereof in case the authorities hand over the same.

Let the needful be done.

Learned counsel for the petitioners has also raised the issue that the area allotted to them is less than their entitlement. The issue shall be considered on the next date of hearing.

Adjourned to 7.4.2016.”

At the time of hearing, affidavit dated 08.05.2017 of Deputy Commissioner, Gurugram has been filed in Court, which is taken on record. It is mentioned that in compliance of the order dated 03.11.2009 (**P-2**), the Allotment Authority has allotted 16 Kanals of land to the LRs of Bhonday, vide order dated 29.07.2010 in Village Nanu Kalan, Tehsil Pataudi, District Gurugram and warrants of possession and Form-US 3 (Certificate of Allotment) were issued on 05.08.2010 vide **Annexures R-1 and R-2**. It is further mentioned that the possession of the allotted land bearing Killa No.48//4-5 total 16 Kanal (Two acres) has been handed over to the allottees/petitioners i.e. Lilu Ram etc. on the spot on 01.04.2016 and they have paid the full price of Rs.4000/- of the allotted land vide Challan No.647725 dated 17.05.2016 and Form US-4 was issued to the allottees/petitioners on 06.06.2016 vide **Annexures R-3 and R-4**.

Learned State Counsel for the respondents submits that the aforesaid directions passed by this Court have already been complied with.

She further submits that the land as per the entitlement or equivalent value has

been allotted to the petitioners. This fact is not disputed by learned opposite Counsel.

In view of the above, no further action is warranted.

Accordingly, the present contempt petition stands dismissed as infructuous.

May 08, 2017
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>