

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

COCN No.296 of 2016

Date of decision: 14.02.2017

Sukhdev Kaur and others

..Petitioners

Versus

Shri Vishwajeet Khana and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Naresh Kaushal, Advocate for the petitioners.

Mr. P.S. Bajwa, Addl. A.G., Punjab
for respondent No.1.

Mr. Rupinder S. Khosla, Sr. Advocate with
Mr. Sarvesh Malik, Advocate for respondents No.2 and 3.

Daya Chaudhary, J. (Oral)

The present contempt petition has been filed under Section 12 of the Contempt of Court Act, 1971 for non-compliance of order dated 26.05.2014 passed by this Court in CWP No.10398 of 2014, whereby, the writ petition was disposed of with a direction to Land Acquisition Collector (respondent No.3) to verify the claim of the petitioners and to take necessary remedial measure within a period of four months from the date of receipt of certified copy of the order.

Learned counsel for the petitioners submits that the copy of the order was supplied to the respondents and a legal notice dated 26.11.2014 was also served upon them. Thereafter, a reminder was also sent but when even after that the abovesaid order has not been complied with. The petitioners had to file the present contempt petition wherein notice of motion was issued on 05.02.2016.

Learned counsel for respondents No.2 and 3 submits that the copy of the order was received on 17.07.2014 and the same has been

admitted by the petitioners as well. Requisite action as per the directions

issued by this Court has been taken on 14.03.2016 and payment has also been released to the petitioners.

Learned counsel for respondent No.1 has also not disputed the factum of delay.

Undisputedly, there is delay in compliance of order passed by this Court on 26.05.2014 as the same was to be complied with within a period of four months from the date of receipt of certified copy of the order. In case, the order was received by the respondents on 17.07.2014, then also, it should have been complied with upto 16.11.2014 whereas the payment has been released on 14.03.2016. Neither any application for extension of time was moved nor any reason has been mentioned as to why delay has occurred.

Keeping in view the facts as mentioned above, the necessary relief has been granted as payment has been released, but for causing delay in implementation of order, an amount of ₹25,000/- as costs is imposed upon respondent No.3 (Land Acquisition Collector), which shall be paid to the petitioners.

Disposed of accordingly.

However, as per submissions made by learned counsel for the petitioners that the petitioners are entitled to interest as well, the petitioners are at liberty to avail the appropriate remedy.

14.02.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether Reportable

√
Yes/No