

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

Date of decision:28.03.2017

Talwinder Singh

.....Petitioner

v.

Sh.Satwant Singh Johal and others

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- None for the petitioner

Mr.Ashok Kumar Bazaz,Advocate for respondents

Jaswant Singh,J,(Oral).

Petitioner filed CWP 1840/1993 challenging the notifications issued under Sections 4 and 6 of the Land Acquisition Act, whereby land belonging to petitioner had been acquired on the ground that the same was urgently required by Municipal Corporation, Jalandhar for providing the disposal work of sullage water at Jalandhar City. The said writ petition was admitted. However, vide order dated 11.2.1993 dispossession was stayed. Municipal Corporation Jalandhar moved CM 1480/1993 seeking vacation of stay order dated 11.2.1993 on the ground that it had already taken possession of the acquired land. The said application was disposed of vide order dated 18.2.1993 and the order dated 11.2.1993 was modified by directing parties to maintain status quo till further orders. It is claimed that in pursuance to the orders dated 18.2.1993 petitioner continued to remain in possession. It is alleged that despite petitioner being in possession the Municipal Corporation forcibly took possession of the land of the petitioner on 18.5.2006. Thus contempt is alleged to have been committed by the

respondents.

CWP 1840/1993 and 4024/1993 were finally disposed of by this Court vide order dated 10.12.2015 by directing respondents to pay compensation to the petitioners in terms of 2013 Act within 6 months from 10.12.2015 and to complete the acquisition proceedings in accordance with law.

Today, at the time of hearing of present contempt petition, status report in compliance of order dated 10.12.2015, by way of affidavit of Dr.Lakhwinder Singh, Superintending Engineer, Municipal Corporation, Jalandhar has been filed. The same is taken on record. The relevant paras 2,3 and 4 of the said affidavit are reproduced below:-

2. *“That consequent upon the final judgment/order of this Hon'ble High Court dated 10-12-2015, the Land Acquisition Collector announced the Award No.1 of 2016 on dated 09-06-2016 with regard to the compensation of the acquired land measuring 32 kanals 7 marls situated in Village Dhilwan, Tehsil and District Jalandhar.*

3.*That the petitioner through Pritpal Singh and others filed a civil writ petition NO.14064/2016 in this Hon'ble High Court inter alia praying that the amount of compensation awarded by the Land Acquisition Collector on 9.8.2016 is insufficient and that the Govt. is yet to notify the authority as provided under Section 52/53 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and prayed for appropriate relief from this Hon'ble High Court. The Hon'ble High Court was pleased to dispose of the civil writ petition no.14064/2016 of the land owners with a direction to the State of Punjab to notify the “Authority” under Section 51 read with Sections 52 and 53 of the Act of 2013 within a period of 6 months and the petitioners shall be entitled to file their claim before the Authority within a period of one month from the date of establishment of the Authority.*

4.*That the State Govt.vide its memo dated 20-09-2016, a copy of which letter was also sent to the petitioner Sh.Pritpal Singh*

clarified that the State Govt. has already notified the “Authority” under Section 51 of the Act of 2013 vide notification dated 4.4.2016 and the District Judge or his/her nominee in every session division has been appointed as Presiding Officer of the Land Acquisition, Rehabilitation and Resettlement Authority within their respective jurisdiction to exercise jurisdiction,power and authority conferred on it by or under the Act ibid.”

In view of the foregoing facts coupled with the contents of status report filed today as reproduced above, it is apparent that the instant contempt petition has been rendered infructuous.

Dismissed as infructuous.

28.03.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No