

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

C.O.C.P. No.474 of 2017

Date of Decision: 09.05.2017

Guranhat Singh and others

..... Petitioners

Versus

Amit Mahajan, Sub Divisional Magistrate-cum-Competent Authority,
Mukerian and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Satbir Rathore, Advocate for the petitioners.

Mr. Anant Kataria, Deputy Advocate General, Punjab
for respondent No.1.

Ms. Ritu Kaushal, Advocate for respondent No.2.

JASWANT SINGH, J. (Oral)

The petitioners had filed CWP No.901 of 2015 seeking directions to the respondents to pay the compensation amount along with interest @ 12% per annum and other statutory benefits from the date, it became due till its realization to them for their land which was acquired in the year 2004-05 for public purpose, i.e. for widening of Jalandhar-Pathankot NH-1A or in the alternative, seeking directions to the respondents to take action on the legal notice dated 16.7.2014 sent by the petitioners. The said petition was disposed of vide order dated 22.04.2015 (**Annexure P-1**), modified by way of C.M. No.5854-CWP of 2015, vide order dated 18.05.2015 (**Annexure P-2**), with directions to the Sub Divisional Magistrate-cum-Competent Authority, Mukerian (respondent No.3 therein) to take a decision on the legal notice

dated 16.7.2014, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order. It was further directed that in case, it is found that the petitioners are entitled to the amount of compensation, the same be paid to them within next one month along with interest. Since the needful was not done, hence the present contempt petition.

Upon notice, reply on behalf of respondent No.1 has already been filed, wherein it is submitted that in compliance of the order dated 22.04.2015, modified on 18.05.2015, speaking order dated 05.11.2015 (**Annexure P-3**) has been passed by the SDM, Mukerian, deciding the legal notice, whereby the petitioners were held entitled to get the compensation of Rs.55,000/- per Marla along with interest @ 12% per annum from the date of Notification and possession.

In compliance of order dated 02.03.2017, learned State Counsel for respondent No.1 has handed over a demand draft for a sum of Rs.10,000/-, payable in the name of the petitioners, which has been accepted by learned Counsel for the petitioners.

At the time of hearing, reply by way of affidavit dated NIL of Col. N.K.Jain, Project Director, NHAI (respondent No.2) has been filed, which is taken on record. Copy of the same has been furnished to learned opposite Counsel. In the reply, it is submitted that in compliance of the directions passed by this Court, necessary relief has since been granted to the petitioners, vide **Annexure R-2/1**.

Learned Counsel for the respondents submit that the aforesaid

learned opposite Counsel.

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

Accordingly, the present contempt petition is dismissed as infructuous.

The petitioners are free to challenge the aforesaid speaking order(s) in accordance with law.

May 09, 2017
Gagan

(JASWANT SINGH)
JUDGE

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