

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

Civil Revision No. 4986 of 2017 (O&M)

Date of decision: 20.9.2017

Haryana Urban Development Authority	.. Petitioner
vs	
Data Ram and others	.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill**

Present: Mr. Ankur Mittal, Advocate, for the petitioner.
Mr. Ajay Jain, Advocate, Mr. Pradeep Sharma, Advocate,
Mr. Vivek Khatri, Advocate, Mr. Rishab Lohan, Advocate,
Mr. Vineet Kumar Jakhar, Advocate,
Mr. Aditya Jain, Advocate,
Mr. Deepak Sharma, Advocate,
Mr. Shakti Kaushik, Advocate for
Mr. Vinod S. Bhardwaj, Advocate,
Mr. Pale Ram, Advocate for
Mr. J. S. Maanipur, Advocate, for the landowners.

Rajesh Bindal, J.

This order will dispose of a bunch of revisions bearing Civil Revision Nos. 4986, 4991, 5001, 5232 to 5239, 5363, 5414, 5681 to 5700, 5712, 5732 to 5735, 6011 to 6015 of 2017, as common questions of law and facts are involved therein.

In all the petitions filed by the HUDA and the State of Haryana various orders passed by the Executing Orders, are under challenge. The only grievance is that this Court had taken up the matter regarding payment of compensation to the landowners on account of acquisition of their land in CWP No. 727 of 2017 M/s Daulatram Dharambir Auto Private Limited vs State of Haryana and others, and the compensation is being disbursed in

terms of the priority list uploaded on the website so as to avoid any favoritism. It was for the reason that there was huge delay in payment of compensation. This Court had restrained the Courts below from taking any coercive steps for recovery of compensation for the acquisition of land in the executions filed by the petitioners therein. Despite that order, still the Executing Courts were taking coercive steps for recovery of amount as a result of which the entire schedule for payment of compensation on the basis of priority list prepared by HUDA, was disturbed.

It was further submitted that wherever after the attachment of the accounts, the money had been deposited by HUDA in the Court or treasury, the same was directed to be disbursed to the landowners vide order dated 5.9.2017 passed in M/s Daulatram's case (supra).

On account of delay in disbursement of compensation to the landowners, the matter was taken up in M/s Daulatram's case (supra) on 2.6.2017. Thereafter, HUDA has already arranged ₹ 7,500/- crores. In addition, ₹ 1,000/- crores have been paid by the State. Sanction of loan of ₹ 2,700/- crores is in pipeline, as a result of which the amount available with HUDA, apparently may be sufficient to discharge the liability of the landowners, especially keeping in view the fact that acquisition of large chunk of land was set aside in view of Full Bench judgment of this Court dated 31.8.2017 in CWP No. 4371 of 2015 Deepak Aggarwal and another vs State of Haryana and others.

In view of the aforesaid developments, in our view, the learned Executing Courts should not have initiated coercive steps once the matter regarding payment of compensation was being considered and monitored by this Court.

The Revision Petitions are disposed of with a direction that the
Executing Courts shall proceed further in the matter in terms of the order
passed by this Court in M/s Daulatram's case (supra).

(Rajesh Bindal)
Judge

20.9.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No