

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

COCN No. 2756 of 2017 (O&M)

Date of Decision: 19.01.2018

Rakesh Kumar Garg

..... Petitioner

Versus

Raja Shekhar Vundu, Managing Director, Haryana
State Industrial Development Corp., Panchkula and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

Mr. P.S. Chauhan, Advocate for respondent No. 1.

Mr. Indresh Goel, Additional Advocate General, Haryana.

JASWANT SINGH, J. (ORAL)

Petitioner had filed a writ petition bearing *CWP No. 26747 of 2014*, challenging the notification dated 30.06.2005 issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act, 1894'); notification dated 05.07.2006 issued under 'the Act, 1894'; all subsequent proceedings/awards passed under the garb of aforesaid notification by the respondents; as also seeking mandamus directions to the respondents-authorities to release the land of the petitioner(s) from acquisition as the possession had not been taken. The said writ petition was disposed of by the Division Bench of this Court vide order dated 14.05.2015 (**Annexure P-1**), the operative part of the said order is reproduced as under:-

“ After hearing learned counsel for the parties, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of all the writ petitions by granting liberty to the petitioners to file a detailed and comprehensive representation raising all the pleas as raised in the present writ petitions before the appropriate authority. It is directed that in the event of a representation(s) being

filed by the petitioners within a period of two months from today, the same shall be decided in accordance with law by passing a speaking order and after affording an opportunity of hearing to them within a period of four months from the date of receipt of representation(s). The petitioners shall be entitled to lead any evidence to substantiate their claim before the concerned authority. Till the matter is decided by the said authority, status quo shall be maintained by the parties. It is, however, made clear that in case no such representation(s) is filed within the stipulated period as noticed above, the interim order shall cease to operate, thereafter. ”

Since the needful was not done within the prescribed time, hence the present contempt petition.

Upon notice, a reply on behalf of respondent No. 1 has been filed, wherein it is stated that after receiving the representation dated 23.06.2015 of the petitioner, an opportunity of personal hearing was given to him on 04.09.2015 by the Committee; after hearing the petitioner, the recommendations were given to the State Govt. and the State Govt. accorded its approval, which was conveyed to the petitioner. It is also stated that in compliance of order dated 14.05.2015 **(P-1)**, a speaking order has been passed on 28.05.2016, which is annexed as **Annexure R-1**.

In view of above, since the order dated 14.05.2015 **(P-1)** stands complied with, therefore, no further action in the present contempt is warranted, as the same has become infructuous.

Dismissed as infructuous.

January 19, 2018

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**(JASWANT SINGH)
JUDGE**

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