

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.30993 of 2018
Date of Decision: 06.12.2018

Bhim Singh

... Petitioner

VS.

Sub Divisional Magistrate-cum-
Competent Authority & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. PR Yadav, Advocate for the petitioner

G.S. SANDHAWALIA, J. (Oral)

The petitioner challenges the notice dated 28.11.2018 (P10) issued by SDM-cum-Competent Authority (Land Acquisition)-North, Gurugram. A perusal of the said notice would show that the amount of compensation of ₹ 1,52,31,563/- for acquisition of land was estopped from being paid to the Gram Panchayat-respondent No.2 on account of litigation and in view of decision of the Financial Commissioner, was liable to be disbursed to it.

Counsel submits that the order dated 30.05.2012 of the Financial Commissioner (P4) is subject matter of consideration in CWP No.22709 of 2012 titled as Shyam Lal and others vs. Financial Commissioner, Haryana & Ors. which was admitted on 29.05.2013 (P9). A further perusal of the impugned notice would show that the authorities are going to make payment to the Gram Panchayat on account of the petitioner not having any order from the Court.

Counsel for the petitioner could not point out any interim order passed in their favour or the fact that any of the authorities below had decided the issue of title in favour of the petitioner. Thus, *prima facie* this Court is not inclined to interfere with the payment to respondent No.2.

Faced with this situation, counsel for the petitioner submits that he does not wish to press this writ petition and intends to file an appropriate application in the CWP admitted for regular hearing. Resultantly the petition is disposed of with aforesaid liberty.

06.12.2018

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(G.S. Sandhawalia)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes
No