

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

Date of Decision: 17.10.2019

(1) COCP No. 2563 of 2017

Jit Singh and others

.....Petitioners

Versus

Sh. K.B.S. Sidhu

.....Respondent

(2) COCP No. 2564 of 2017

Gram Panchayat village Gurditpura, Block Patran, District Patiala

.....Petitioner

Versus

Sh. K.B.S. Sidhu

.....Respondent

(3) COCP No. 2861 of 2017

Harjinder Singh and others

.....Petitioners

Versus

Sh. K.B.S. Sidhu

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. S.S. Rangi and Mr. H.S. Tuli, Advocates
for the petitioners.

Ms. Deepali Puri Sandhu, Addl. AG Punjab.

AVNEESH JHINGAN, J.(oral)

C.M. No.25977-CII of 2018 in
COCP No. 2563 of 2017

Application is allowed.

Counter affidavit of petitioner Jit Singh is taken on record.

C.M. No.25976-CII of 2018 in
COCP No. 2564 of 2017

Application is allowed.

Counter affidavit of Kewal Singh Sarpanch, Gram Panchayat,

Village Gurditpura is taken on record.

C.M. No.25726-CII of 2018 in
COCP No. 2861 of 2017

Application is allowed.

Counter affidavit of petitioner Tarsem Singh is taken on record.

Main Cases

This order shall dispose of three contempt petitions as similar issue is involved in all the petitions.

The writ petition filed by the petitioners raising the grievance that the land described in the writ petition situated in the revenue estate of village was utilized for construction of embankments from RD 0-13000 on both sides of village Sagra para and for same this land has been utilized without acquiring or payment of compensation.

The writ petition was disposed of on 21.10.2016. The operational part of the order is reproduced below:

"Having heard learned counsel for the parties, it appears to us that the factual averments made by the petitioners are required to be verified by the authorities and if it is found correct that their lands have been utilized for a public purpose without acquiring it in accordance with law, they too are entitled to seek compensation on the parity of the writ-petitioners in CWP No.8459 of 2013 decided on 25.07.2013. The writ petition is thus disposed of without expressing any views on merits, with a direction to the Principal Secretary, Irrigation Department, Punjab, to hold a fact-finding enquiry and if the stand taken by the petitioners is found to be correct, let appropriate proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for the acquisition of petitioners' land and to pay them compensation in accordance with law.

The needful shall be done within a period of six months from the date of receiving a certified copy of this order. Ordered accordingly."

The present contempt petitions have been filed pleading that needful has not been done.

During the pendency of petition, affidavits of Mr. Jaspal Singh, Principal Secretary, Government of Punjab, Department of Water Resources, Punjab has been filed annexing order dated 19.3.2018 whereby the claim of the petitioners have been rejected.

Learned counsel for the petitioners states that the petitioners be granted liberty to avail remedy against the rejection order as the claim has been illegally rejected.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondents stands discharged.

17.10.2019
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No