

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

COCP No.2696 of 2018
Date of Decision: 23.1.2019

Harjinder Singh and another

.....Petitioners

Versus

Yashpal Singh Jadon and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

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

Mr. Kanisth Ganeriwala, Assistant Advocate General, Punjab.

Mr. Rishi Kaushal, Advocate, for the NHAI.

NIRMALJIT KAUR, J. (ORAL)

This order shall dispose of a bunch of contempt petitions bearing COCP Nos.2696, 2531, 2803, 3177 to 3179, 3650 to 3657, 3742, 3756, 3819 to 3822, 3950, 3951, 3953, 4489 of 2018; 31, 33 to 37, 42, 43, 45 and 229 of 2019, as common question of law and facts are involved therein.

However, for convenience, the facts are taken from COCP No.2696 of 2018.

The present contempt petition has been filed for non-compliance of the orders dated 22.12.2017, 29.4.2016 and 24.7.2013. As per the order dated 24.7.2013, the writ petition was disposed of with with direction to determine the claim of the petitioners regarding grant of solatium and interest within a period of three months.

Separate replies have been filed by the State in all the aforementioned contempt petition (except in COCP Nos.33 and 229 of 2019), which are taken on record.

Reply filed in other contempt petitions is adopted in COCP

Nos.33 and 229 of 2019.

Admittedly, in compliance of the said order, award has been passed in all the above matters. In pursuance to the said award, 30% solatium has also been paid to the petitioners. Now, the only question remains is with respect to the interest.

Learned counsel for the NHAI submitted that the amount towards the interest has been kept in the shape of FDR and shall be disbursed to the petitioners on finalization of the petitions filed by them challenging the award qua interest only.

Admittedly, no stay is granted till now.

In view of the above, the contempt petitions are disposed of with a direction to the NHAI to pay interest to the petitioners within a period of two months from today, in case, the said award is not stayed meanwhile by any competent Court of jurisdiction qua the present petitioners.

However, in case, the amount of interest is not deposited/paid within two months in the absence of the stay of award, the petitioners will be at liberty to revive the present contempt petitions by way of filing applications. If the petitioners are forced to revive the present contempt petition, the responsible officer shall be burdened with heavy penalty, which he/she shall be personally labile.

(NIRMALJIT KAUR)
JUDGE

23.1.2019
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No