

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 04.12.2019

(1) COCP No. 2885 of 2017

Raj Singh

.....Petitioner

Versus

Shri Sudhir Rajpal and others

.....Respondents

(2) COCP No. 3500 of 2018

Kuldeep Singh and others

.....Petitioners

Versus

Shri Devender Singh and others

.....Respondents

(3) COCP No. 14 of 2018

Mahender Singh and others

.....Petitioners

Versus

Shri Sudhir Rajpal and others

.....Respondents

(4) COCP No. 15 of 2018

Shamsher Singh and others

.....Petitioners

Versus

Shri Sudhir Rajpal and others

.....Respondents

(5) COCP No. 188 of 2018

Bejai Singh and others

.....Petitioners

Versus

Shri Sudhir Rajpal and others

.....Respondents

(6) COCP No. 16 of 2018

Raj Singh Rana

.....Petitioner

Versus

Shri Sudhir Rajpal and others

.....Respondents

(7) COCP No. 2610 of 2018

Om Hare Rana

.....Petitioner

Versus

Shri Sudhir Rajpal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Harkesh Manuja, Advocate
for the petitioners.

Mr. Sandeep S. Mann, Sr. DAG Haryana.

Mr. Ankur Mittal, Advocate and
Ms. Chhavi Sharma, Advocate
for respondents.

AVNEESH JHINGAN, J.(oral)

The dispute in above mentioned contempt petitions is that the directions of the writ Court quoted below has not been complied with:

"[41]. We are of the considered view that following the cited instances, it would be fair, just and reasonable to direct the respondents including HSIIDC to release the land of the petitioners in *CWP Nos. 14365 of 2012 [Om Parkash Vs. State of Haryana]*, *8549 of 2013 [Mahinder Singh Vs. FC & PS, Government of Haryana & Ors.]*, *11132 of 2013 [Bejai Singh & Ors. Vs. FC&PS, Government, Haryana & Ors.]* and *14294 of 2013 [Sunil Kumar & Ors. Vs. State of Haryana & Ors.]* equivalent to industrial plots not below the size of 30x60 square meters as depicted in the Revised Layout Plan or one

commercial site out of “105 Meter Wide Commercial Pocket” duly earmarked in that plan. Where there are more than one owner [major co-sharers in the acquired land which is five acres or more], each one of them shall be considered for allotment of a separate plot but in their case the size of the industrial plot can be less than 30x60 square meter also. The industrial plot of 30x60 square meter or above or the commercial site, as the case *may be, shall be allotted to the affected landowner only if his* acquired land is one acre and above. The land-losers of less than one acre be given alternative site as per the R&R Policy dated 09th November, 2010. The above mentioned plot[s] may be given any where as per the revised layout plan but the same shall be treated to have been carved out on the '*released land*' of the affected landowner. In other words, the total area of the acquired land of such allottee shall be reduced to the extent of the size of the plot given to him and while the affected landowner shall not pay any allotment price [except the development charges], the compensation of his acquired land shall also stand reduced proportionately. The aforesaid exercise shall be undertaken by the Corporation and State Government within a period of four months and the possession of the developed plots of released land shall be given to the petitioners in these cases at the earliest and in the first opportunity. No allotment of developed sites shall be made unless the affected petitioners are firstly accommodated."

The only grievance now raised is that instead of allotting the commercial cite out of "105 Meter Wide Commercial Pocket" in the earmarked plan, the same was being allotted in a commercial belt which was not in existence in the original earmarked plan.

Learned counsel for respondents on instructions from Mr. Ravish Jain, DTP/HSI IDC submits that a decision has been taken that the petitioners would be offered plot in "105 meter wide commercial pocket" as depicted in the earmarked plan.

In view of statement made, learned counsel for the petitioners submits that no cause of action survives for pursuing the present contempt petition.

Disposed of.

The respondents are directed to communicate the said decision to the petitioners within two weeks. The petitioner shall be at liberty to avail remedies in accordance with law in case still some grievance survives.

04.12.2019

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No