

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

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CWP No.24002 of 2019

Decided on : 18.09.2019

Smt. Seeto and others

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present: Mr. P.S. Jammu, Advocate
for the petitioners.

G.S. Sandhawalia, J. (Oral)

The prayer in the present writ petition filed under Article 226/227 of the Constitution of India is for directing the respondent No.2 to refer the petition (Annexure P-4) filed under Section 30 of the Land Acquisition Act, 1894 (for short 'the Act') to the Court of Additional District Judge, Sirsa for apportionment of the amount.

A perusal of the Section 30 petition would go on to show that it is in nature of the execution of the Award dated 02.05.2011 (Annexure P-1) passed by Shri A.K. Shori, the then Additional District Judge, Sirsa. Even the contents of said petition would go on to show that an execution petition had been filed and the respondents had deposited the amount of compensation awarded. Admittedly, the execution was also withdrawn on 16.05.2019 to file fresh petition for the remaining amount.

In such circumstances, once there is a remedy as such and the enforcement of an earlier award is being claimed, there seems to be no apparent dispute under Section 30 of the Act, which would require consideration.

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Faced with this situation counsel does not press the present writ petition and prays for liberty to avail his remedy before the competent Court.

Ordered accordingly.

SEPTEMBER 18, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No