

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 416 of 2020

Date of Decision: 25.2.2020

Yuvraj Singh (minor) through is Natural Mother Surinder Kaur
...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ashok Bhardwaj, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. Mr. Kalaram Kansal, SDM, Moonak, Sangrur is present in Court with Mr. Sandeep Kumar DAG, Punjab and informs that his mother was taken suddenly ill and he had to go back to Sunam post haste to attend to her. Hence, his non-appearance on the last date of hearing when the case was called for hearing in the afternoon is excused.

2. From him it is learnt that vital information has been hidden in this petition which is the suppression of the order dated 14.12.2019 passed by the executing Court by which payment of compensation was made by the respondents to the petitioner (minor) through natural guardian (mother) but this has not been disclosed and pleaded in the petition. There has also occurred a subsequent event pointed out by Mr. Bhardwaj of an order passed by the Lok Adalat where the decree holder has made a statement that payment has not been received. Lok Adalat

has passed the order to await the payment till 4.4.2020 by order dated 8.2.2020. Copy of this order has been handed over to learned State counsel.

3. The above narration in this order has been recorded in the order for Mr. Bhardwaj to file a fresh writ petition after the Court declined permission to him to amend the petition.

4. He has prayed for withdrawing the petition with liberty to file a fresh petition on the same cause of action bringing on record past and subsequent events relating to payment of land acquisition compensation to the petitioner.

5. While allowing Mr. Bhardwaj to do so, with the liberty as prayed, it is ordered at the same time that the previous interim order dated 6.2.2020 stands transported to the petition likely to be filed by Mr. Bhardwaj and that order shall be made a part of the petition as an Annexure with that fresh challenge. Meaning thereby, that due compliance will be made as per that order on matters contained therein, and the State will keep prepared the affidavit sought for presentation [for which further time was requested by the law officer on instructions from the SDM, Moonak] in the next round, which means that order dated 6.2.2020 has to be complied with despite withdrawal of this petition, to await fresh one.

6. The compliance of order dated 6.2.2020 will be made by the Secretary Irrigation, Government of Punjab as stated by the learned

Law Officer on instructions from SDM present in Court and as per policy/rules of business for litigation.

25.2.2020

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(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No