

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

**CR-1446-2020(O&M)
Date of decision: 28.2.2020**

Dev Raj Puri deceased through Lrs

.....Petitioner

Versus

Land Acquisition Collector Improvement Trust Batala and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Vipin Mahajan, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

Present petition has been filed under Article 227 of the Constitution of India for issuance of the appropriate directions to the Executing Court to expeditiously dispose of the application for release of the amount which is alleged to be lying deposited with the Executing Court for the last more than 10 years. It is really shocking that Executing Court is keeping the amount for the last 10 years.

Learned counsel for the petitioner has informed the Court that compensation payable for compulsory acquisition of the land has already been finally determined and no revision or appeal against the same is pending. He further submitted that the Executing Court had ordered release of the amount on furnishing indemnity bonds vide order dated 28.8.2010, the operative part of the order reads as under:-

“8. In the circumstances there is no
merit in tis application and the same is dismissed.

The amount already lying deposited be paid to the

decree holders as per their share on their furnishing indemnity bond, undertaking to render an account of the amount, if any better claimant succeeds in establishing its claim.”

He further submitted that indemnity bonds were furnished but the same were rejected. Again fresh indemnity bonds have been furnished but the matter is being kept pending.

In view of the aforesaid facts and without going into the merits of the case, learned Executing Court is requested to take a decision on the indemnity bonds furnished, positively within 30 days from the date of receipt of the certified copy of this order.

Disposed of.

28.2.2020
rekha
Whether speaking/reasoned
Whether Reportable

(ANIL KSHETARPAL)
JUDGE
Yes / No
Yes / No