IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
118 (PROCEEDINGS THROUGH V.C.)

Date of decision: 16.09.2020

CR-2263-2020

MOHINDER SINGH (SINCE DECEASED) REPRESENTED
THROUGH LR BAHADUR SINGH **...PETITIONER**

V/S

STATE OF PUNJAB AND OTHERS **...RESPONDENTS**

WITH CR-2264-2020

MOHINDER SINGH (SINCE DECEASED) REPRESENTED
THROUGH LR BAHADUR SINGH ***...PETITIONER***

V/S
STATE OF PUNJAB AND OTHERS **...RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Aakash Singla, Advocate,
for the petitioner.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

By this order, I propose to dispose of C.R. No. 2263 of 2020 titled as Mohinder Singh (since deceased) represented through LR Bahadur Singh vs. State of Punjab and others and C.R. No. 2264 of 2020 titled as Mohinder Singh (since deceased) represented through LR Bahadur Singh vs. State of Punjab and others. The facts are being taken from C.R. No. 2263 of 2020.

The precise grievance of the petitioner is that an Award dated 15.09.2012 was passed by the learned Additional District Judge, Patiala in Land Reference No. 20/23.09.2004. Since the land of the petitioner was acquired, its compensation was assessed. An execution petition was

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preferred by the petitioner as per the Award and in pursuance thereto, the Executing Court passed an order dated 27.02.2020 (Annexure P-2) for expeditious release of the amount of compensation subject to furnishing of personal indemnity bond. The said bond could not be deposited by the petitioner because of the limited functioning of the Courts in view of lock-down situation. The personal indemnity bond ultimately was deposited by the petitioner on 19.08.2020. On deposit of the said indemnity bond, an order dated 19.08.2020 (Annexure P-5) has been passed, according to which, the said indemnity bonds were accepted and the DRO was ordered to be issued accordingly. Despite the said order having been passed, no payment was released to the petitioner.

An application dated 02.09.2020 (Annexure P-6) has been moved by the petitioner for release of the amount but the said application is not being entertained on the ground that it does not fall within the category of urgent cases, as has been pointed out by the High Court on administrative side. The medical certificate, as issued by the doctor of the petitioner, has been attached stating therein that the petitioner is suffering from acute depression and hypertension. Petitioner is in dire need of money and, therefore, has approached this Court by way of the present petition for release of the said benefit which stands accrued to the petitioner and all formalities except for the actual payment having been completed.

Having considered the submissions made by the learned counsel for the petitioner as also the factual assertions, as pointed out in the present petition, a direction is issued to the concerned Court i.e. Additional District Judge, Patiala or any other Additional District Judge, as may be nominated by the District Judge, Patiala, to consider the application of the

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petitioner dated 02.09.2020 (Annexure P-6) and pass appropriate orders on the same within a period of three days of presentation of the copy of this order.

These petitions stand disposed of with above observations/directions.

September 16, 2020 **(AUGUSTINE GEORGE MASIH)**
pj **JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No

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