

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

CWP-22478-2019 (O&M)

Date of decision: 10.11.2021

Tej Ram and others

...Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Amit Jain, Advocate for the petitioners
 Mr. Samarth Sagar, Addl. AG, Haryana
 Mr. Deepak Sabherwal, Advocate for respondent no.2 to 4

ANIL KSHETARPAL, J (Oral)

Through this writ petition, the petitioners pray for issuance of a writ in the nature of Mandamus to direct the respondents to release/disburse the amount of compensation to the petitioners as per the award no. 44 dated 09.12.2016 passed by the Land Acquisition Collector. Learned counsel representing the petitioners admits that petitioner no.2, 5 and 6 have already been paid the amount as per the award of the Land Acquisition Collector. Hence, the writ petition is dismissed as infructuous qua them. A supplementary affidavit has been filed by the Administrator, Haryana Shehri Vikas Pradhikaran, Gurugram, to the effect that the amount of Rs.3,03,746/- was transmitted to each of the petitioners no. 1, 3 and 4 on 12.05.2017. However, the entry with regard to petitioner no.3 was returned. This fact came to the notice of the authorities on 27.10.2021 and thereafter, the amount has been paid to petitioner no.3. Para 5 of the affidavit reads as under:-

“5. That it is respectfully submitted that Land Acquisition Officer, Gurugram has reported that amount of Rs.303746/-were paid to petitioner no.1, 3 and 4

each on 12.05.2017. A copy of Bank statement supplied is attached herewith as Annexure A-1. Amount of Rs.303746/- deposited in account of the petitioner No.3 on 12.05.2017 were returned back. Fact with regard to returning of amount of the petitioner No.3 came into knowledge only when issue of payment was verified from the Punjab National Bank on 27.10.2021. Amount has been paid to the petitioner No.3 on 30.10.2021. A copy of statement showing payment to the petitioner No.3 is attached herewith as Annexure A-2. Payment of compensation as per original award has been made to the petitioners 1, 3 and 4.”

Learned counsel representing the petitioners submits that qua petitioner no. 1 and 4 the payment, as alleged, has not been paid.

Keeping in view the aforesaid facts, let the petitioners appear before the Land Acquisition Collector, who is requested to examine the matter and pass a speaking order in this regard. Needless to observe that if petitioner no.1 and 4 are still aggrieved, they shall be at liberty to challenge the same. The petitioners shall also be at liberty to pray for grant of statutory interest before the Land Acquisition Collector, who shall consider the request and pass appropriate orders in accordance with law.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

10.11.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE