

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

104

**CR-3346 of 2015 (O&M)
Date of decision: 13.12.2022**

Tota Ram

..Petitioner

Versus

Adani Power Ltd. and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.P.Sharma, Advocate
for the petitioner.

Mr. Sumeet Goel, Sr. Advocate with
Mr. Samir Rathaur, Advocate and
Mr. Paramvir Singh Parmar, Advocate
for the respondents.

ANIL KSHETARPAL, J(Oral)

The learned counsel representing the petitioner submits that he has instructions not to press this revision petition on merits and he confines his claim to the amount of Rs.1,50,000/- for the well as offered by the respondent-company before the District Magistrate, Mohindergarh at Narnaul.

The respondent-company, in order to lay down the electricity transmission lines, has installed towers. The petitioner was paid compensation for the loss of crop, however, he was not paid any amount for the well, though, the other owners were paid compensation of Rs.6,00,000/- for each well. When the matter came before the District Magistrate, Mohindergarh at Narnaul, the respondent-company offered to pay Rs.1,50,000/- to the petitioner while attaching photocopies of the six cheques. At that time, the petitioner refused to take the amount. The District Magistrate assessed the compensation for the un-working well @ Rs.1.5 lacs. The respondent-company did not challenge the correctness of

the aforesaid order. The petitioner's case before the District Judge was dismissed while upholding the order dated 18.07.2012, passed by the District Magistrate, Mohindergarh at Narnaul.

Keeping in view the aforesaid facts, the revision petition is disposed of while directing the respondent-company to pay the amount of Rs.1,50,000/- with interest @ 12% per annum from 18.07.2012 till the payment. The compensation paid for the loss of crop shall not be adjusted in the aforesaid amount. However, if the respondent-company proves that the aforesaid payment for the well has already been paid to the petitioner, the revision petition shall be deemed to have been dismissed. However, if the amount is found payable to the petitioner but is not paid within a period of one month from today, the petitioner shall have liberty to file an execution petition and get the property of the respondent-company attached.

Disposed of accordingly.

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

December 13, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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