

In the High Court of Punjab and Haryana, at Chandigarh

C.O.C.P. No. 97 of 2022

Date of Decision: 27.07.2022

Om Parkash and Others

... Petitioner(s)

Versus

Vijay Kumar Yadav and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: None for the petitioner(s).

Mr. Harsh Vardhan, Assistant Advocate General,
Haryana, for the respondent No.1.

Mr. Deepak Sabharwal, Advocate
for the respondent No.2.

Anil Kshetarpal, J.

1. Complaining wilful violation of the directions of the Court in Civil Misc. No. 3199-CWP-2016 In/And Civil Writ Petition No. 21935 of 2013, decided on 25.07.2016, the petitioners have invoked the jurisdiction of this Court under Section 10 and 12 read with Section 2(b) of the Contempt of Courts Act, 1971. The operative part of the order dated 25.07.2016 reads as under:-

“(6) In this view of the matter, the only question that requires determination is whether the residential houses in question were constructed by the petitioners before notification under Section 4 was issued? Since such a factual issue can be re-determined by the authorities, despite failure of the petitioners to file objections as the old survey report and/or other

documentary proof can be produced to find out whether these houses/structures were in existence prior to Section 4 notification? We thus dispose of this writ petition with a direction to the Land Acquisition Collector, Gurgaon to hold a fact-finding enquiry after giving reasonable opportunity to the petitioners to produce the proof of existence of their residential houses at the relevant time. Needless to say that if the houses do not cause obstruction in implementation of the development plan, namely. any road or vital public utility, the respondents would re-consider and explore the desirability to release such houses in accordance with the Government policy.

(7) Let appropriate decision be taken as early as possible and preferably within six months from the date of receipt of a certified copy of this order. Till then dispossession and/or demolition of petitioners' house(s) shall remain stayed".

2. A reply to the petition has been filed by way of an affidavit of the Land Acquisition Collector along with a copy of fact finding inquiry report and the consequent order passed on 10.03.2022.

3. In view of the aforesaid facts, no further order is required to be passed. Hence, the present petition is disposed of.

(Anil Kshetarpal)
Judge

July 27, 2022
"DK"

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