

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 97 of 2022

Date of Decision: 07.01.2022

Martial Buildcon Private Limited

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kunal Dawar, Advocate
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

1. The petitioner company was owner of the land measuring 15 kanals & 9 Marlas (9347.25 square yards), situated in the revenue estate of village Maidawas, District Gurugram, which was acquired by the State of Haryana. The Reference Court, on an application filed by the petitioner under Section 18 of the Land Acquisition Act, 1894, enhanced the compensation for the acquired land. In the regular first appeal, the compensation was further enhanced. The petitioner filed an execution petition to get the amount, which has been disposed of being partially satisfied on 21.10.2021.

2. The petitioner claims that a writ in the nature of mandamus be issued to the respondents to pay interest @ 15% per annum on the amount of ₹5,11,53,768/-, which was deposited with the State treasury. The petitioner

claims that the aforesaid amount was deposited in the treasury without any

notice to the petitioner (decree holder).

3. The petitioner has a remedy of filing a fresh execution petition.

Hence, the present writ petition is disposed of by relegating the petitioner to avail the alternative remedy.

(Anil Kshetarpal)
Judge

January 07, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No