

211

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COC-1332-2018 (O&M)
Date of decision: 08.02.2023

Chanchal Kumari and ors.

... Petitioners

Vs.

A. Venu Prasad and ors.

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arun Jindal, Advocate and
Mr. Kanish Jindal, Advocate
for the petitioners.

Mr. Ajit Singh Natt, AAG, Punjab.

Mr. J.S. Toor, Advocate
for respondents No.3 & 4.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for initiation of contempt proceedings
against the respondents for violation of the order dated 21.10.2013, vide
which following directions were issued: -

*“Having heard learned counsel for the petitioners and
considering the nature of relief sought by them, however, without
expressing any views on merits of their claim as the respondents*

have not been heard at this stage, we deem it appropriate to dispose of this writ petition with a direction to respondent No.3-Land Acquisition Collector, Amritsar Improvement Trust, Amritsar, to forward the petition submitted by the petitioners under Section 19 of the Punjab Development of Damages Area Act, 1951 to the competent Court/Tribunal for its adjudication on merits. The needful shall be done within a period of one month from the date of receiving a certified copy of this order.

Similarly, we also direct the Land Acquisition Collector, Amritsar Improvement Trust Amritsar; The Deputy Commissioner-cum-Collector, Amritsar as well as the State of Punjab-respondent No.1 to look into the complaint dated 11.6.2013 (Annexure P-10) made by the petitioners and ensure that the compensation amount is paid to the true owners/interested persons in accordance with law. If any amount of compensation has been paid erroneously or wrongfully to a person not entitled to receive the same in law, necessary steps in this regard be also taken. Let an appropriate order on the complaint be passed within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.”

As per compliance affidavits of respondents No.1, 3 & 4, right of

the petitioners could not be established on the basis of rent receipts or deeds regarding ownership of the property in dispute.

In view of the above, present petition is rendered as infructuous.

Liberty is granted to the petitioners to avail the alternative remedy, in accordance with law.

[ARVIND SINGH SANGWAN]
JUDGE

08.02.2023
vishnu

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