

214

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

Date of decision: 08.02.2023

1. COCP-2817-2018 (O&M)

Punjab Small Industries & Export Corporation Ltd.

....Petitioner

Versus

Satish Kumar and Others

....Respondents

2. COCP-605-2019 (O&M)

Punjab Small Industries & Export Corporation Ltd.

....Petitioner

Versus

Surjit Kaur and Ors

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tushar Sharma, Advocate
for Mr. Tarunvir Dhull, Advocate for the petitioner.

Mr. Sunil Chadha, Sr. Advocate
with Ms. Taanvi Dhull, Advocate for the respondents.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner – Corporation alleges violation of the order dated 29.10.2014 vide which while issuing notice of motion in writ petition filed by Satish Kumar and 36 other persons challenging the notification dated 07.05.1991 issued under Section 4 of the Land Acquisition Act, status quo as it exists on that day was ordered to be maintained.

It is admitted position that the writ petition is still pending.

Counsel appearing for the petitioner has submitted that in violation of the aforesaid order, the construction is raised over Khasra No.1108/2 and 1109.

In reply, learned senior counsel for the respondents has submitted that as per own affidavit of the Assistant Engineer Ajit Singh, who is working in PSIEC, Ludhiana, it is stated that the construction was raised by Sunita Aggarwal, Deputy Mayor and one Satvir Aggarwal on 13.08.2016 when he visited the spot.

Similar is the another affidavit of Uday Singh, who is working as work-Munshi in PSIEC, Ludhiana that the aforesaid two persons were raising the construction.

Learned senior counsel for the respondents has further submitted that none of these persons were either writ petitioners nor they have been arrayed as a party.

Learned senior counsel for the respondents, on the basis of the affidavit filed by the respondents, further argued that this petition is nothing but misuse of process of law as there is nothing stated in the entire affidavit that it is the respondents/writ petitioners, who have violated the aforesaid order and rather the allegations are made that the aforesaid two persons i.e. Sunia Aggarwal and Satvir Aggarwal, are raising some construction.

In view of the above, no willful disobedience on the part of the respondents is made out.

Dismissed.

A photocopy of this order be placed on the file of other connected case.

08.02.2023

yakub

Whether speaking/reasoned:

Whether reportable:

(ARVIND SINGH SANGWAN)

JUDGE

Yes/No

Yes/No