

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

**Civil Revision No. 2482 of 2020 (O&M)
Date of Decision: 25.01.2023**

Haryana Sheri Vikas Pradikaran, through its
Estate Officer, Faridabad

..... Petitioner

Versus

M/s. Crown International and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Anil Chawla, Advocate,
for the petitioner.

Mr. Adarsh Jain, Advocate
for respondent No. 1-M/s. Crown International.

Mr. Harsh Vardhan Shehrawat, Assistant Advocate General, Haryana
for respondent Nos. 2 & 3.

None for respondent No. 4-Delhi Metro Rail Corporation, Faridabad

MAHABIR SINGH SINDHU, J.

1. Present revision petition has been filed for setting aside the impugned order dated 12.10.2020 (P-1) passed by learned Additional District Judge, Faridabad, whereby Bank Account of the petitioner – Haryana Sheri Vikas Pradikaran (HSVP) was attached.

2. On 09.11.2020, the Coordinate Bench, while issuing notice of motion, *inter alia*, passed the following order:-

“ xxxx

The instant revision petition is directed against the order dated 12.10.2020 (Annexure P-1) passed by the Additional District Judge, Faridabad, in execution proceedings arising out of award dated 10.05.2019 in a petition that had been filed under Section 18 of the Land Acquisition Act 1894 for enhancement of compensation for the

acquired land.

The instant petition has been filed by the Haryana Sheri Vikas Pradhikaran, being aggrieved of the impugned order in execution proceedings whereby their account maintained at the State Headquarters has been directed to be attached.

Counsel submits that the land in question was acquired for the Metro project from Badarpur to YMCA Chowk-LAC Case No.157 of 2013 and it is the Haryana Mass Rapid Transport Corporation Limited which is liable to make the payment of enhanced compensation. Further urged that vide letter dated 08.09.2000 (Annexure P-5) a sum of Rs.28,33,17,256/- had been transferred from the account of Haryana Mass Transport Corporation Limited to the account of the Estate Office HSVP, Faridabad, for onward release to the decree holder.

During the course of hearing today, counsel has forwarded copy of memo dated 05.11.2020 through email which is a communication issued by the Accounts Officer, Director, Town & Country Planning, Haryana and addressed to the Branch Manager, HDFC Bank, Chandigarh regarding transfer of Rs.23.17 crores through RTGS for release of further payment towards enhanced compensation in favour of the decree holder.

Further contended by adverting to the award dated 10.05.2019 (Annexure P-4) that the petitioner was not even a judgment debtor and at best is an intermediary through whom payment is being released to the decree holder.

Notice of motion returnable for 21.12.2020.

In the meanwhile operation of the impugned order dated 12.10.2020 (Annexure P-1) qua the petitioner shall remain stayed. ”

3. Today, learned counsel for the petitioner-HSVP has produced a copy of communication sent to respondent No. 3 (Land Acquisition Officer, Faridabad) vide Endst. No. 8454 dated 01.12.2020 and which is taken on

record as **Mark-'X'**.

According to the communication referred herein above, payment of Rs. 28,33,17,256/- in LAC Case No. 157/2013 was released in favour of respondent No. 1 – M/s. Crown International, through RTGs UTR No. SBINR52020100168508, dated 01.12.2020.

4. Learned counsel for respondent No. 1 also, on instructions, acknowledged the above factual position and further submitted that amount due has already been credited into their account.

5. In view of the above conceded position, present petition is allowed.

As a result thereof, the impugned order dated 12.10.2020, to the extent of attaching the Bank Account of petitioner-HSVP, is hereby quashed and set aside.

6. Pending application(s), if any, shall also stand disposed off.

January 25, 2023

'himanshu / dk kamra'

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>