

253-2

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

CWP No. 22881 of 2019 (O&M)

Date of decision : 18.05.2023

Chatter Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana
for the respondents.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 226 of the Constitution, *inter alia*, for directing the respondents to pay compensation in favour of petitioner *qua* his share of the acquired land, in view of judgment dated 30.04.2018 (P-1) passed by this Court in RFA No. 3719 of 2015.

2. At the outset, learned State Counsel, while making reference to para-2 of the affidavit dated 10.12.2019 of Sh. M.L. Goyal, Executive Engineer Provincial Division, PWD B&R Branch, Panchkula, submits that in view of the judgment dated 30.04.2018 (*supra*), the awarded amount in favour of petitioner has already been deposited before the Registrar (General) of this Court vide letters dated 25.03.2016 & 29.08.2017. Also it is averred that if the petitioner has not withdrawn the awarded amount, he may move appropriate

grievance of the petitioner has been redressed; therefore, present petition be disposed off as having been rendered infructuous. For reference, relevant para-2 of the above affidavit reads as under:-

*“ That the present writ petition has been rendered infructuous in view of the fact that the answering respondent has already deposited the awarded amount granted by Hon’ble High Court in RFA No. 3719 of 2015 dated 30.04.2018 before the Registrar (General), Punjab & Haryana High Court vide letter dated 25.03.2016 and 29.08.2017. The answering respondent has already deposited Rs. 6,50,748/- vide D.D. No. 253357 dated 23.03.2016 and also Rs. 6,50,748/- vide D.D. No. 974890 dated 23.08.2017 in the favour of petitioner whereas as per the judgment passed in RFA No. 3719 of 2015 dated 30.04.2018, the petitioner is entitled only for Rs. 4,60,461/-. Therefore, an excess amount of Rs. 8,41,035/- is already deposited by the answering respondent. The detailed calculation is attached herewith as **Annexure R-1**.*

If the petitioner has not withdrawn the awarded amount then he is supposed to file appropriate application for the release of the same amount before the competent officer. Therefore, no further directions are required in the matter and the present writ petition has become infructuous. ”

3. In view of the above, present petition is disposed off as having rendered infructuous.

Needless to say that in case the petitioner feels aggrieved, he may move appropriate application for recalling of this order and same shall be considered in accordance with law.

May 18, 2023

‘dk kamra’

(MAHABIR SINGH SINDHU)

JUDGE

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No