

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20867-2023

Decided on:-18.10.2023

Prem Kanta and another

....Petitioner.

vs.

Union of India and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Roja Agnihotri, Advocate,
for the petitioners.

Mr. Kanwalvir Singh Kang, Advocate,
for respondent No.4-NHAI.

Mr. Navneet Singh, Sr. DAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present writ petition, prayer has been made for issuance of directions to respondents No.3 and 4 for deposit/release of the enhanced amount of compensation awarded in favour of the petitioners-landowners vide award dated 15.01.2021 by the learned Arbitrator.

2. Learned counsel for the petitioners submits that though award dated 15.01.2021 was passed by the Arbitrator granting enhancement of compensation in favour of the petitioners-landowners, yet, the same is not being deposited/released in their favour in the execution proceedings.

3. Upon advance notice, learned counsel for respondent No.4 points out towards order dated 25.08.2023 passed by the Executing Court at Faridabad, wherein, a statement has been made by learned counsel representing judgment debtor-NHAI that the requisite amount of

compensation shall be deposited within a period of two months. The order dated 25.08.2023 is reproduced hereunder:-

“

Exe-145-2020
PBFD01-003607-2020

Prem Kanta vs. *Union of India*

Present:- Shri Satvir Singh Chauhan Advocate counsel for DH.
Shri M.R. Gupta Advocate for JDs no.1 & 3.
JD no.2 exparte.

Learned JD counsel submitted at bar that the requisite amount will be deposited within a period of two months. Let the payment be made till 21.10.2023.

Rajiv Kalra (PB0098)
Additional District Judge,
Faridkot

Dated:25.08.2023”

4. Resultantly, in view of the aforesaid, once JD No.4 has committed to deposit the requisite amount before the Executing Court within two months and the said period is about to end, at this stage, no further directions are called for, especially when the counsel representing respondent No.4 is himself relying upon the aforesaid order.

5. Accordingly, the present petition is disposed of. In case of any default from the side of the respondents, the petitioners shall be at liberty to seek revival of the present writ petition.

18.10.2023

sonika

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No