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

COCP-1403-2025

Date of decision: 29.09.2025

Jasbir Malik

...Petitioner

Versus

Chander Shekhar Khare and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pavan Malik, Advocate for the petitioner
(Through Video Conferencing)

Mr. H.S. Gill, Advocate for respondent No.1.

Mr. Raj Partap Singh Brar, AAG, Haryana
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. Learned counsel for the petitioner has submitted that in a similar matter, the Coordinate Bench of this Court had disposed of six petitions vide order dated 24.09.2025, relevant portion of which has been reproduced hereinbelow:-

“Vide this common order, six petitions shall stand disposed of, details of which are mentioned in the foot of the judgment. For convenience, facts are taken from CWP-6364-2025.

Short point involved in the present case(s) is about release of compensation in favour of petitioner(s) against acquisition of their lands in terms of award dated 29.09.2014 passed by learned Additional District Judge-cum-Reference Court, Mewat.

Learned counsel appearing on behalf of respondent-HSVP informs that the department is in the process of deposit of the



amount with the learned Reference Court. Admittedly, neither there is any dispute regarding apportionment nor even entitlement, as such, there is no question of deposit of the compensation amount with the learned Executing Court and the same can straightaway be deposited in the account of petitioner(s)-landowner(s) as the determination of quantum of compensation has already become final inter se the parties. In such circumstances, respondent-HSVP may deposit the amount of compensation payable to the petitioner(s) directly in their accounts so as to save the time and energy of the Courts within 10 days from today.

*Learned counsel for the petitioner(s) informs that the details of banks have already been provided along with the details of successors besides the revenue record to Land Acquisition Collector, Faridabad. Learned counsel for the petitioner(s) also places reliance upon a decision dated 22.03.2022 passed by the learned Income Tax Appellate Tribunal in "**ITA Nos. 39, 40 and 41/Del of 2021**", titled as "**Land Acquisition Office, HUDA complex Vs. DCIT (TDS) Gurgaon**" to submit that the TDS is not to be deducted on the amount of compensation against the release of acquisition of land.*

The respondents are directed to keep in mind the law laid down in the aforementioned judgment while disbursement of compensation.

It is made clear that in case the respondents fail to deposit the amount due to the landowners within the aforesaid period, the present contempt proceedings shall automatically stand restored and the Chief Administrator, HSVP shall remain present in person on the date fixed along with Land Acquisition Collector, Faridabad.

Pending application(s), if any, shall also stand disposed of. 24.09.2025"

2. Learned counsel for the petitioner has further submitted that in



view of the same, the respondents be directed to release the disbursed amount in a time bound manner without deducting TDS on the amount of compensation and the said amount be paid into the account of the petitioner the details of which have already been given to the Land Acquisition Collector, Faridabad. It is further submitted that while releasing the money, the order passed by the Income Tax Appellate Tribunal in *"ITA Nos. 39, 40 and 41/Del of 2021"*, titled as *"Land Acquisition Office, HUDA complex Vs. DCIT (TDS) Gurgaon"* be also taken into consideration.

3. Learned counsel for the respondents have submitted that in view of the order passed in the case of the petitioner as well as order dated 24.09.2025 passed by the Coordinate Bench of this Court, the amount to which the petitioner is entitled would be released within a period of ten days from today.

4. Learned counsel for the petitioner has submitted that in view of the same, the present contempt petition be disposed of but in case respondents authorities backtrack from the said statement then liberty be granted to the petitioner to revive the present contempt petition.

5. Keeping in view the abovesaid facts and circumstances, the present contempt petition is disposed of. Respondents would be bound by the statement made before this Court. Liberty is granted to the petitioner to revive the present contempt petition in case the respondents authorities backtrack from the statement or in case any cause survives.

29.09.2025

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No