



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Civil Writ Petition No. 17963 of 2022 (O&M)
Date of Decision: 04.09.2025

Devender

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Aakash Dalal, Advocate
for the petitioner.

Ms. Komal Sharma, DAG, Haryana
for respondent No. 1.

Mr. Chanderhas Yadav, Advocate
for respondent No. 2.

Mr. Prateek Mahajan, Advocate with
Ms. Saloni Sharma, Advocate
for respondent No. 3.

HARKESH MANUJA, J. (ORAL)

CM-14362-CWP-2024

Application for placing on record the written statement on
behalf of respondent No. 2, is **allowed**. The same is taken on record. Copy
thereof be supplied to the opposite side.

Registry to do the needful.

MAIN CASE

The petitioner, by way of present writ petition, seeks issuance
of directions to respondent Nos. 2 & 3 to disburse the royalty amount for the
period 2016 to 2021 with interest @ 18% per annum till its actual
realization.

[2] Learned counsel for respondent No. 2 submits that no doubt the petitioner was entitled for royalty amount between 2016-2021, however, on account of some error, the royalty payable to the petitioner was disbursed in the name of one Jai Kishan son of Sh. Chander, resident of the same village, i.e. Village Gorla, District Jhajjar. It has been submitted that the aforesaid confusion occurred on account of the fact that the land of Jai Kishan was also acquired alongwith the land of petitioner for the same project.

[3] Learned counsel for respondent No. 3-Life Insurance Corporation of India, submits that the amount was released in favour of Jai Kishan as per the information provided from the office of respondent No. 2 and thus, there was no fault on its part.

[4] However, learned counsel for respondent No. 2 submits that the entire fault lies with the office of respondent No. 3 having disbursed the amount of royalty in the name of wrong person and thus, the liability to disburse the royalty amount of the petitioner was all of respondent No. 3.

[5] Having heard learned counsel for the parties and gone through the paper-book, the fact of the matter is that the land of the petitioner was acquired and admittedly he was entitled for royalty for the period between 2016-2021, whereas he has been deprived off the said benefit on account of the fact that mistakenly the same has been released in favour of one Jai Kishan whose land was also acquired. In the considered opinion of this Court, in any case the mistake cannot be attributed to the petitioner and thus, he cannot be put to loss in this regard.

[6] In such circumstances, respondent No. 2 shall, at the first instance, release the entire benefit of royalty due towards the petitioner from

2016-2021 alongwith up-to-date interest within four weeks from the date of receipt of certified copy of this order. Respondent No. 2 shall be at liberty to avail its remedy against Jai Kishan son of Sh. Chander as well as respondent No. 3 in accordance with law.

[7] It is made clear that in case the needful is not done within stipulated period, respondent No. 2 shall be liable to pay costs of Rs.1,00,000/- to the petitioner towards further litigation.

[8] **Disposed off** accordingly.

[9] Pending miscellaneous application(s), if any, shall also stand disposed off.

September 04, 2025
'dk kamra'

(HARKESH MANUJA)
JUDGE

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