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

**COCP-4689-2025 (O&M)
Date of Decision: 27.02.2026**

Abhay Dev

.....Petitioner

Vs.

Mrs. Monika Gupta and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Arjun Lakhanpal, Advocate,
for the petitioner.

Mr. Ram Karan Sharma, DAG, Haryana,
for respondents No.1 & 2.

Mr. Nitin Gupta, Advocate, for
Mr. Harmanjot Singh Gill, Advocate,
for respondent No.3.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 01.12.2016 passed by the Division Bench of this Court in CWP-17560-2016, whereby following order was passed:-

“XXXXXX XXX

(6) Having held so, we are further of the view that since Section 24(2) of 2013 Act itself in so many words contemplates the possibility of re-acquisition of the land/property in respect whereof the previous acquisition has lapsed, it is necessary to direct the petitioners to maintain status quo re: creation of third party rights; to keep the land/property free from all types of encumbrances and not to change the nature of



land/property for a period of one year so that meanwhile the respondent-State may, if such property is needed for a “public purpose”, again acquire it. Such a direction is necessitated also for the reason that in numerous cases State or its agencies have taken possession in part and development works have been executed except over that land/property in litigation. Those development works ought to be completed in public interest and the only consequence of lapsing of previous acquisition, mostly due to fault of the Government Officers/ Officials, would be that the owners of such land/property will be entitled to compensation and other benefits admissible under the 2013 Act.”

2. In compliance of the order dated 01.12.2016 passed by the Division Bench of this Court in CWP-17560-2016, status report by way of affidavit dated 15.01.2026 of Wakeel Ahmed, Estate Officer, Kaithal, along with Annexures R-1 and R-2, has been filed on behalf of the respondent before the Registry. The same is taken on record. The relevant extract of the same is reproduced as under:-

“XXX

XXX

XXX

3. That in pursuance thereto it is being submitted herein that the answering Respondents in the present petition has not proceeded/ acted in violation of order dated 01.12.2016 passed by this Hon'ble Court in CWP-17560-2016, as they have not entered upon the land in a forcible manner and also had not demolished any structure/ constructed area therein. The aforementioned submissions stand fully established vide the photographs dated 07.01.2026, 13.01.2026 of the concerned land, which are annexed herewith as Annexure R-1.

4. That it is further submitted herein that the Respondents in the CWP-17560-2016 had challenged the order dated 01.12.2016 before the Hon'ble Supreme Court of India vide SLP (C) No. 20124 of 2018 and the same was allowed by the Hon'ble Supreme Court of India vide order dated 18.03.2025, whereby the order dated 01.12.2016 passed by this Hon'ble Court in CWP-17560-



2016 was set aside and the matter was remanded back to the Hon'ble High Court for the purpose of reconsideration of the writ petitions of the land owners on the basis and by applying the ratio and observations of the recent judgment of the Hon'ble Supreme Court of India rendered in *Indore Development Authority vs. Manoharlal* (2020) 8 SCC 129. Further vide the said order status quo was granted and continued in favour of the Petitioner. The relevant extract of the order dated 18.03.2025 passed by the Hon'ble Supreme Court of India in SLP (C) No. 20124 of 2018 is being reproduced below for the kind perusal of this Hon'ble Court:

“9. In the circumstances, we find it just and proper to set aside the impugned orders and remand these matters to the High Court for reconsideration of the Writ Petitions filed by the respondents- land owners/subsequent purchasers and to dispose of those Writ Petitions on the basis of the recent judgment of this Court in Indore Development Authority by applying the ratio and the observations of the said judgment to the facts of each case as they emanate in each of the cases.

10. At this stage, learned senior counsel and learned counsel for the respondents submitted that during the pendency of the Writ Petitions before the High Court and thereafter during the pendency of these appeals before this Court the respondents had the benefit of orders of status quo. Since this Court is remanding the matters to the High Court, the said orders of status quo may be continued in those cases where such orders prevail till the disposal of the writ petitions.”

Further in the light of the aforementioned order dated 18.03.2025 passed by Hon'ble Supreme Court of India, it is being submitted that the order dated 01.12.2016 passed by this Hon'ble Court in CWP-17560-2016 already stand set aside and is not operative at present, and it is therefore submitted that as such the present contempt petition is not maintainable against the answering Respondents as they have not acted in



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contradistinction of any existing order passed by this Hon'ble Court.”

3. A perusal of the report shows that order dated 01.12.2016 passed by the Division Bench of this Court in CWP-17560-2016 has been complied with.

4. In view of the above, since order dated 01.12.2016 passed by the Division Bench of this Court in CWP-17560-2016, has been complied with, therefore, the present contempt is purged and rule stands discharged.

5. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

27.02.2026

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No