

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

CWP No.10949 of 1989(O&M)

Date of decision:12.10.2015

State of Punjab and others

....Petitioners

VERSUS

Puran Singh and orthers

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. Alok Jain, Additional Advocate General, Punjab
for the petitioners.

Mr. J.S. Toor, Advocate for respondent No.2.

HEMANT GUPTA, J.(Oral)

The present writ petition filed by the State is directed against an Award passed by the Land Acquisition Tribunal, Kapurthala apportioning the amount of compensation between Puran Singh, the alleged tenant under Smt. Parbati (respondent No.3). The writ petitioner – State claimed interest of Smt. Parbati on the basis of Will dated 21.7.1956.

The issue regarding vesting of land with Smt. Parbati has been examined in LPA No.300 of 1986 titled Vishavjit Singh v. State of Punjab and others, decided on 26.04.2014, wherein it has been held that the State is the owner on the basis of Will dated 21.07.1956 of Smt. Parbati.

In view of the aforesaid Division Bench judgment of this Court holding the State to be successor-in-interest of Smt. Parbati, the

petitioners are entitled to 75% of the awarded amount of compensation, remaining 25% as tenant or occupant of land having been awarded to Puran Singh.

In view of the above, the present writ petition stands disposed of in the light of the judgment in Vishavjit Singh's case (supra).

(HEMANT GUPTA)
JUDGE

OCTOBER 12, 2015
'D. Gulati'

(RAJ RAHUL GARG)
JUDGE