

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

**CM No.20999-CII of 2015 in/and
Civil Revision No.6496 of 2014
Date of decision:31.10.2015**

Smt. Ram Kaur and others

... Petitioners

versus

Smt. Giano and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Navneet Singh, Advocate,
for the applicants/petitioners.

Mr. Y.P. Malik, Advocate,
for respondents 1, 2 and 4 to 8.

K.Kannan, J. (Oral)

CM No.20999-CII of 2015

For the reasons stated in the application, the same is allowed and the case is advanced and with the consent of both counsel, the revision itself is taken up for hearing.

Civil Revision No.6496 of 2014

The revision is at the instance of the plaintiff who seeks for injunction against the respondents from claiming compensation for the land acquired by the government. The plaintiff claims that there is a reference under Section 30 of the Land Acquisition Act relating to the apportionment amongst the rival claimants for distribution of the compensation amount. It will be only the

reference court that will decide on the manner of apportionment and there can be no interim restraint against the money from being paid to any party. The plaintiff cannot seek for any interim direction which is against the provisions of law. This observation is for the purpose of consideration of a prima facie case in favour of the plaintiff and will not fetter the trial court from undertaking an adjudication regarding the competency of the plaintiff's claim in accordance with law. I make no order of restraint in the manner sought by the plaintiff and dismiss the revision petition.

**(K.KANNAN)
JUDGE**

31.10.2015
sanjeev