

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 14110 of 2015

Date of Decision: 16.7.2015

Parveen Kumar and another

....Petitioners.

Versus

The State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.  
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Mr. Sandeep Sharma, Advocate for the petitioners.

**AJAY KUMAR MITTAL, J.**

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of direction to the respondents to pay the compensation of 12 marlas land in view of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. The petitioners are owners of 1 kanal 16 marlas land situated in village Pati Kaysth Seth, District Kaithal. The said land was acquired by the respondents for the development of Sector 21, Kaithal Urban Estate vide award dated 5.8.2005. The respondents have paid the compensation of 68% land to the petitioners and refused to allot a 4-Marla plot under the oustees policy. The petitioners filed CWP No. 6751 of 2011 which was allowed by this Court vide order dated 19.7.2013 (Annexure P-5) with a direction to the respondents to allot a 4-Marla plot under the oustees policy. In pursuance thereto, the respondents allotted plot No. 1130, Sector 21, Urban Estate, Kaithal vide allotment letter dated 8.4.2015 (Annexure P-6) to the petitioners. It was specifically mentioned in the order dated 19.7.2013 (Annexure P-5) passed by this Court that khasra No. 8/2/2 in rectangle No. 83 of the petitioners was

acquired 100% and demarcation was conducted by the Tehsildar on 24.9.2012 (Annexure P-4) on the direction of this Court. During the demarcation proceedings, it was not disputed by the Estate Officer, Kaithal that the petitioners are in possession of land measuring 1 kanal 16 marlas comprised in rectangle No.83, khasra No. 8/2 and their entire land was acquired. The petitioners moved a representation dated 27.4.2015 (Annexure P-7) to respondent No.2 for the release of compensation amount of the remaining land, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have submitted a representation dated 27.4.2015 (Annexure P-7) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to decide the representation dated 27.4.2015 (Annexure P-7), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order.

**(AJAY KUMAR MITTAL)**  
**JUDGE**

**July 16, 2015**  
gbs

**(REKHA MITTAL)**  
**JUDGE**