

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

CWP No.20923 of 2013

Date of Decision:-26.05.2015

Tara Devi

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU.**

**Present:- Mr. H.N. Mehtani, Advocate
for the petitioner.**

Mr. Sandeep Moudgil, Addl. AG Haryana.

SATISH KUMAR MITTAL, J.(Oral)

The petitioner whose land has been acquired under the Provisions of Land Acquisition Act, 1894, has filed the instant writ petition for quashing of the order dated 12.7.2013, passed by the Land Acquisition Collector, Urban Estate Panchkula-respondent herein, rejecting her claim of interest on the delayed payment of the amount of compensation and on wrongly withholding the amount on account of TDS alleged to have been paid to the Income Tax Department.

On the last date, an affidavit was filed by the Land Acquisition Collector stating therein that all the amount of interest according to the statutory provisions has already been made. However, it has been stated that on the amount of TDS which was paid to the Income Tax department at one point of time no interest was paid.

Learned counsel for the petitioner states that his client has calculated the interest liable to be paid by the Land Acquisition Collector which has not been paid. He states that with those calculations and details, the petitioner will make a representation before the Land Acquisition Collector and he be directed to consider and decide the same in accordance with law without being influenced by the impugned order.

Learned State counsel has agreed that if any such representation is filed by the petitioner, the same will be duly considered in accordance with law and if any amount is found due, the same will be paid to the petitioner.

In view of the aforesaid understanding between the parties, this petition is disposed of with the liberty to the petitioner to file a representation before the Land Acquisition Collector. If any such representation is filed, the Land Acquisition Collector is directed to consider and decide the same in accordance with law without taking into consideration the earlier order which has been challenged in the present petition, expeditiously, preferably within a period of four months.

(SATISH KUMAR MITTAL)
JUDGE

26.05.2015
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(HARINDER SINGH SIDHU)
JUDGE