

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION No.21528 of 2013

Date of Decision: November 27, 2015

Swaran Kaur

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Naresh Kaushal, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Shekhar Verma, Advocate, for
respondent Nos.2 to 4.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The land of the petitioner's father situated within the revenue estate of village Mauli Baidwan, Tehsil and District Mohali was acquired for the development of Sector-81, SAS Nagar, Mohali vide two separate Awards, i.e., Award No.448 dated 22.02.1995 for the land measuring 13 kanal 5 marla and second piece of land measuring 4 marla was acquired vide Award No.494 dated 26.12.2006.

The question that has been raised in the instant writ petition is whether the petitioner is liable to pay @ Rs.23,500/- per square yard for the plot allotted to her under the 'Oustees' category or she is entitled to pay @ Rs.3350/- per square yard.

The aforesaid question has been answered by a Coordinate Bench in favour of the oustees like the petitioner in CWP No.19647 of 2013 (Harmail Singh and others versus State of Punjab and others) and other connected cases, decided on 20.05.2015.

Following the said decision, the instant writ petition is allowed and it is directed that in case after clubbing the acquired land vide the above mentioned two Awards, the petitioner is entitled to allotment of plot under the 'Ousteers' category, such allotment shall be offered/revised at the rate as has been approved by this Court in Harmail Singh and others' case (supra).

Let the needful be done within a period of two months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

November 27, 2015
mohinder

[HARI PAL VERMA]
JUDGE