

CWP No.19138 of 2015

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

CWP No.19138 of 2015
Date of decision: 10.09.2015

Virender Kumar Karwa

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the 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 ?

Present: - Mr. Shailendra Sharma, Advocate, for the petitioner.

PARAMJEET SINGH, J. (ORAL)

Instant writ petition has been filed for quashing the letter dated 21.11.2014 (Annexure P-3) written by respondent No.1, resumption notice dated 22.05.2015 (Annexure P-6) issued by respondent No.2 whereby Bungalow No.95, Jhoke Road, Ferozepur, has been resumed by the respondent without assigning any reasons and letter dated 06.08.2015 (Annexure P-7) issued by respondent No.3 whereby owner of the Bungalow has been directed to be present on the spot for handing over the possession of the Bungalow in question.

After arguing for some time, learned counsel for the petitioner states that no compensation has been determined for the superstructure which was authorisedly raised by the petitioner over the plot in question.

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Learned counsel further submits that possession of the premises was already with him and at present is with the respondents. Learned counsel further states that compensation has not been determined as per the provisions of the law and the judgment of the Hon'ble Supreme Court in *Union of India v. Harish Chand Anand*, 2010(15) SCC 519.

Petitioner will be at liberty to move appropriate application for assessment of compensation for the authorized construction before the authorities. The authorities after associating the petitioner shall assess the compensation, if not already assessed, in accordance with law. Petitioner will be at liberty to raise all the objections with regard to superstructure and its value. Needful shall be done within a period of six months from the date of receipt of certified copy of this order.

Disposed of.

September 10, 2015
R.S.

(Paramjeet Singh)
Judge