

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

Civil Writ Petition No.19173 of 2015  
Date of Decision: September 11, 2015

Amrik Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

**CORAM:** HON'BLE MR.JUSTICE SURYA KANT.  
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Ms.Jatinder Jit Kaur, Advocate, for the petitioners.

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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?*

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Surya Kant, J. (Oral)

The petitioners are residents of village Raipur Arriyan Daudpur Chakoki, District Kapurthala. They allege that due to illegal mining by certain persons, the flow of Bias river stood diverted due to which over 25000 acres cultivable land has submerged in the river. The land of the petitioners is also part of the submerged land. It is claimed that a joint inspection of the flood protection work in Kapurthala district was carried out in the year 2005 in which the above mentioned allegations were found to be correct and it was recommended that affected land owners be suitably compensated but no such compensation has been disbursed so far despite repeated representations or running from pillar to post.

We have not heard the respondents at this stage.

In the absence of sufficient material on record, we also do not

express any opinion on the alleged inspection report relied upon by the petitioners. However, having regard to the factual issues or the claim for amount of compensation raised vide representations dated 12.07.2005, 8.12.2014 and 05.02.2015 (P-3, P-6 & P-8, respectively), attributing the cause of loss to the alleged illegal mining, we dispose of this writ petition with a direction to respondent Nos.4 & 5 to take an appropriate decision on the petitioners' claim, referred to above. In case the petitioners' claim is rejected, we make it clear that they may approach any Forum other than the Writ Court.

Ordered accordingly.

Dasti.

[SURYA KANT]  
JUDGE

*September 11, 2015*  
*mohinder*

[JASPAL SINGH]  
JUDGE