

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

**CWP No.22637 of 2015**

**Date of decision:20.10.2015**

**Right Holders Khewatdars of village Palsora U.T. Chd. And  
others** **....Petitioners**

**VERSUS**

**U.T of Chandigarh** **.....Respondent**

**CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA**

**HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

Present: Mr. Harsh Manocha, Advocate for the petitioners.

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**HEMANT GUPTA, J.(Oral)**

The petitioners, claiming to be right holders, khewatdars as well as proprietors and non-proprietors, have invoked the jurisdiction of this Court to claim that their application under Section 28-A of the Land Acquisition Act, 1894 (for short 'the Act') has not been decided.

We find that khewatdars have individual right to espouse the claim of compensation and there cannot be an action by the 'right holders, khewatdars of village Palsora' not being a juristic entity. Still further, the assertion of the petitioners before this Court as well as in an application under Section 28-A of the Act is that the petitioners are proprietors and non-proprietors. The non-proprietors cannot be the right holders.

In view of the said fact, learned counsel for the petitioners wishes to withdraw the present writ petition with liberty to seek amendment of an application under Section 28-A of the Act to

continue with the action on behalf of the proprietors of the village Palsora claiming interest in the land.

In view of the above, the writ petition is dismissed as withdrawn. The petitioners are permitted to seek amendment of an application under Section 28-A of the Act. As and when such application is filed, the Land Acquisition Collector shall decide the same in accordance with law expeditiously.

**(HEMANT GUPTA)**  
**JUDGE**

**OCTOBER 20, 2015**  
‘D. Gulati’

**(RAJ RAHUL GARG)**  
**JUDGE**