

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

CWP No. 360 of 2015

DATE OF DECISION : 09.01.2015

Kashmir Kaur and others

.... PETITIONERS

Versus

State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. D.S. Pheruman, Advocate,
for the petitioners.

* * *

SATISH KUMAR MITTAL, J. (Oral)

The petitioners, who claim themselves to be tenants on the land which was acquired vide award made in the year 2010, have filed this petition seeking direction to the respondents to rehabilitate them under “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013)” (hereinafter referred to as ‘the New Act’).

The land was acquired in the year 2010 under the Land Acquisition Act, 1894 (hereinafter referred to as ‘the Old Act’). The possession has also been taken. The petitioners have also been paid part of the compensation being tenants on the acquired land. The said acquisition is not under challenge. Under the Old Act, there was no provision for

rehabilitation of the tenants of the acquired land. In view of these facts, we are not inclined to entertain this petition as on the aforesaid acquisition, the New Act would not apply.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

January 09, 2015
ndj

(DEEPAK SIBAL)
JUDGE