

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

1.) CWP No.3678 of 2015  
Date of Decision:- 08.04.2015.

Dharambir Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

2.) CWP No.3717 of 2015

Dalbir Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

3.) CWP No.4449 of 2015

Kartar Singh alias Lakhi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

4.) CWP No.4475 of 2015

Ranbir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

5.)

CWP No.5211 of 2015

Kamla Devi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 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?**

Present: Mr. Rajnish Gupta, Advocate for the petitioners.

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**SURYA KANT, J. (ORAL)**

This order shall dispose of the above-mentioned CWPs as common question of law and facts are raised in these cases. For brevity, the facts are being referred to from CWP No.3678 of 2015.

The land of the petitioners situated with the Revenue Estate of Karnal was acquired for development of residential sectors in the Urban Estate of Karnal. The land owners were dissatisfied with the compensation awarded by the Reference Court under Section 18 of the Land Acquisition Act, 1894, hence, they including the appellant approached this Court by way of Regular First Appeals. Learned Single Judge enhanced the compensation but in Letters

Patent Appeal the matter was remanded. Thereafter, learned Single Judge vide order dated 05.10.2007 made partial enhancement in the compensation.

While the petitioners did not challenge that judgment some of their co-owners went in Supreme Court where the compensation has been further enhanced vide judgment dated 19.02.2013 (Subhash Chander and others Vs. State of Haryana and others). In subsequent matters also, the judgment in Subhash Chander's case has been followed by the Hon'ble Supreme Court so as to grant further enhanced compensation to land owners whose lands were acquired by different notifications (please see judgment dated 31.07.2014, Annexure P-4).

As the petitioners were not party before the Apex Court, they represented the Authorities on 25.09.2014 seeking parity in the matter of grant of compensation. Finding no response, the instant writ petition has been filed.

During the course of hearing, when we asked the learned counsel as to what would have been the effective remedy for the petitioners to seek parity in compensation, he submits that the petitioners though failed to avail such statutory remedy but maintains that in view of the observations made by the Hon'ble Supreme Court, in later decision the respondents are obligated to grant compensation at the same rate to all the land owners irrespective of the fact whether they approached the Court or not. He claims

equality under Article 14 of the Constitution as well.

In the light of peculiar facts and circumstances, but without expressing any views on merits or on the remedy availed or available to the petitioners, we dispose of this writ petition with a direction to respondent Nos.1 to 3 to ascertain the above-mentioned claim of the petitioners and communicate the decision on their representation to the petitioners within a period of six months from the date of receipt of certified copy of this order.

**(SURYA KANT)**  
**JUDGE**

**(P.B. BAJANTHRI)**  
**JUDGE**

**April 08, 2015.**

*sandeep sethi*