

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

-:-

C.W.P No. 1085 of 2016 (O&M)

Date of Decision: February 17, 2016.

Kabal Singh

..... Petitioner

Versus

State of Punjab & Ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. R.S.Rangpuri, Advocate, for the petitioner.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

The petitioner approached this Court seeking a direction to the official respondents to pay him compensation of ₹30,000/- for the crop loss during the Kharif Season of 2013. The petitioner was denied the compensation as respondent No.6 impersonated the petitioner in connivance with the other officials and got the compensation.

The aforesaid facts have not been disputed by respondent Nos. 1 to 4 in the reply filed today, which is taken on record. It has been stated therein that FIR No.24 dated 02.04.2015 was registered against respondent No.6, who impersonated for taking the compensation amount. It is not in dispute that the petitioner, who is rightfully entitled to the compensation, has not been paid any amount.

Keeping in view the aforesaid facts, respondent No.2 is directed to pay the amount of ₹30,000/- to the petitioner within a period of four weeks from the date of receipt of copy of the order. The petitioner shall also be entitled to cost of ₹10,000/- for unnecessarily dragging him in litigation while denying his rightful claim. The cost of amount shall also be paid along with the compensation amount of ₹30,000/- by way of

cheque/demand draft. Amount of cost shall also be recovered from the person, who wrongly paid the compensation.

The petition is disposed of accordingly.

Before parting with the order, this Court would like to get status of the FIR No.24, dated 02.04.2015 registered against respondent No.6 only. As per the stand taken by official respondents, challan has not been presented in the FIR till today. It is not disputed that compensation was paid after verification by the Sarpanch. No action has been taken against Sarpanch and other officers/officials, who were involved in disbursement of compensation to the wrong person. Status of investigation in the FIR and the action against the Sarpanch and other officers/officials in the process be placed before the Court. Further the number of cases in which compensation was paid to wrong persons and the status thereof be produced.

For this purpose, the matter be listed before the Court on 23.04.2016.

February 17, 2016
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(RAJESH BINDAL)
JUDGE