

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.12224 of 2016

Date of Decision: July 04, 2016

M/s Country Colonizers Pvt. Ltd.

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM:HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE DARSHAN SINGH.

Present: Mr.Naresh Kaushal, Advocate, for the petitioner.
Mr.N.D.S.Mann, Additional Advocate General, Punjab.

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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?

Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.N.D.S.Mann, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let two copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage.

The case of the petitioner is that its land measuring 4 kanal 6.5 marla situated within different revenue estates of District SAS Nagar Mohali, was acquired by the State of Punjab under the Land Acquisition Act

1894 vide Award Nos.542 and 550 dated 12.09.2013 and 31.12.2013, respectively. The grievance is that no compensation has been paid to the petitioner despite running from pillar to post. In this regard, the petitioner served the respondents with a legal notice dated 11.01.2016 (P-4) but finding no response or payment, the instant writ petition has been filed.

We have heard learned counsel for the parties.

There can indeed be no quarrel that non-payment of compensation for the acquired land by itself is a valid ground to render the acquisition illegal. Nonetheless, we dispose of this writ petition at this stage with a direction to the respondents to release the due amount of compensation alongwith admissible interest upto the date of actual realization, to the petitioner within a period of one month from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

July 04, 2016
mohinder

[DARSHAN SINGH]
JUDGE