

***IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH.***

CWP No. 13378 of 2016. [O&M]

Date of Decision: 12th July, 2016.

Jagseer Singh & Ors.

Petitioners through
Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Ajayvir Singh, Advocate.

Versus

Union of India & Ors.

Respondents

***CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE DARSHAN SINGH***

- 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]

The land of the petitioners was acquired by the Railways way back in the year 1965 for construction of a Flag Station. After successfully dragging the authorities in an Injunction suit, which the petitioners finally lost on 09.02.2015 when this Court dismissed their RSA No. 896 of 2012, that the instant second round of litigation has been initiated. Now the petitioners claim that no award was passed and no compensation was paid to them so far.

While we reject the plea taken under Section 24[2] of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in the light of the categorical stand of the Railways that possession was taken way back, we grant liberty to the petitioners to approach the appropriate Court at Fazilka for determining [i] whether any award was passed? and if so, [ii] whether compensation amount was deposited with the Land Acquisition Collector?; [iii] whether such compensation amount has been received by the true land-owners?; [iv] if not, whether the petitioners were entitled to receive any compensation?;

and [v] whether the Railway Authorities are liable to pay any interest to the petitioners?

If such proceedings are initiated, learned Court shall make an endeavour to decide the same within one year.

Disposed of. Dasti.

(SURYA KANT)
JUDGE

July 12, 2016.
dinesh

(DARSHAN SINGH)
JUDGE