

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.13828 of 2016.

Date of Decision: July 15, 2016

Rajinder Singh @ Raj Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.JPS Sidhu, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, 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.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let three 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 his land alongwith that of co-sharers was acquired by the State of Punjab for the public purpose of setting-up Peona Power Plant at Village Gobindpura, District Mansa. Since

the petitioner was co-owner in a joint holdings, the full amount of compensation was not paid to him for want of determination of his actual share even though the Award was passed on 25.03.2011. It is further averred that the land has since been partitioned and actual share of the petitioner stands determined by the revenue authorities. Thereafter also, compensation in part has been paid but the balance amount which according to the petitioner is Rs.22,54,938/- is yet to be released.

Having heard learned counsel for the parties and taking into consideration the factual issues raised by the petitioner, we dispose of this writ petition without expressing any views on merits, with a direction to the Sub Divisional Magistrate-cum-Land Acquisition Collector, Budhlada-respondent No.2 to ascertain the correct facts and in case the petitioner is found entitled to any payment, let the same be released alongwith interest at the admissible rate within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

July 15, 2016
mohinder

**[DARSHAN SINGH]
JUDGE**