

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.14531 of 2016 (O&M)

Date of Decision: 25.07.2016

Hartej Singh & Anr.

... Petitioners

VS.

State of Punjab & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE DARSHAN SINGH

Present: Mr. JPS Sidhu, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners are residents of Village Gobindpura, Tehsil Budhlada, District Mansa. Their land is said to have been acquired by the State of Punjab in the year 2010-11 for setting up Peona Power Thermal Plant at Village Gobindpura. The award was passed on 25.03.2011. The details of the acquired land of petitioners are given in para 7 of the writ petition. They have further averred that though part payment of compensation amounting to ₹47,37,712/- was released but still an amount of ₹19,15,413/- remains unpaid. The non-payment of balance amount has prompted the petitioners to approach this Court.

(2) As the facts would speak for themselves, the question whether the petitioners have been paid full amount of compensation or not has to be determined by the Sub Divisional Magistrate-cum-Land Acquisition Collector, Budhlada. We thus dispose of the writ petition with a direction to respondent No.2 to verify the records and determine as to whether the petitioners are entitled to payment of above-stated balance amount. Needless to say that if the petitioners are found entitled to, the same shall be released along with interest as prescribed under the Statute within three

(3) Similarly, if the petitioners were paid ₹11 lacs towards payment of compensation after a delay of 4 years, it shall be obligatory on the part of the Land Acquisition Collector to ascertain the facts and determine the interest amount to which the petitioners are entitled to in accordance with the Statute and release such amount within the period stipulated above.

(4) Ordered accordingly.

(Surya Kant)
Judge

25.07.2016
vishal shonkar

(Darshan Singh)
Judge