

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.16042 of 2016 (O&M)

Date of Decision: 09.08.2016

Karnail Singh & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE GURMIT RAM**

Present: Mr. DS Kahlon, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) Notice of motion. On our asking, Mr. Rajesh Bhardwaj, learned Addl. AG Punjab accepts notice on behalf of respondents. In view of the nature of order which we propose to pass, there is no necessity to call upon the respondents to file reply.

(2) The petitioner's grievance in the instant writ petition is that their land was acquired for Shahpur Kandi project vide notifications dated 05.12.2012 and 23.07.2013 issued under Section 4&6 of the Land Acquisition Act, 1894 (in short, 'the 1894 Act'), followed by the award dated 06.05.2014. They allege that full amount of compensation has not been paid so far.

(3) As more than two years have passed since the award was passed, there can hardly be a legitimate ground for withholding the balance payment of compensation to which the petitioners are entitled to in accordance with law.

(4) We thus dispose of the writ petition, without expressing any views on merit, with a direction to the Land Acquisition Collector and other authorities to ascertain the correct facts and if the petitioners are found to

have not been paid full amount of compensation, let the same be released

along with due interest as per the statutory rate within a period of three months from the date of receipt of a certified copy of this order.

(5) Ordered accordingly.

(Surya Kant)
Judge

09.08.2016
vishal shonkar

(Gurmit Ram)
Judge