

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.16298 of 2016.

Date of Decision: August 11, 2016

Banta and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr. M.L.Sharma, Advocate, for the petitioners.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

-. -

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 four 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 petitioner is a resident of village Mirjapur, Tehsil Kharar, District SAS Nagar Mohali. He seeks a writ of mandamus to direct the Land

Acquisition Collector-respondent No.4 to decide the petition filed by him

under Section 28-A of the Land Acquisition Act, 1894 for re-determination of market value of his acquired land on the basis of the Award given by the Reference Court in LAC No.115 of 09.09.2009, decided on 01.08.2013 (Murari Lal versus State of Punjab). It is averred that the petitioner has filed his petition under Section 28-A of the old Act within 90 days, i.e., on 28.10.2013 but that petition has not been decided so far by the Land acquisition Collector.

Having heard learned counsel for the parties and considering the nature of relief sought in this writ petition, we dispose of the same with a direction to the Land Acquisition Collector-respondent No.4 to call for the records and if petition filed by the petitioner under Section 28-A of the Act is still pending, decide the same in accordance with law within a period of three months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

August 11, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No