

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17559-2016

Date of Decision: August 29, 2016

Gurpal Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr.B.S.Sidhu, Advocate
for the petitioners.

.....

SURYA KANT, J.

Notice of motion.

On our asking, Mr.Rajesh Bhardwaj, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of all the respondents. Let eight sets of paper-book be supplied to learned State counsel during course of the day.

Heard learned counsel for the parties.

The claim of the petitioners in this writ petition is that possession of their land described in para 3 of the writ petition was taken a few years back for construction of 'Chand Bhan Drain' and 'Escape Channel' at RD-256000-R of Sirhind Feeder Canal, the Department of Irrigation, with the assurance that they would be paid due amount of compensation. As the authorities did not honour their alleged commitment, the petitioners served

them with a legal notice dated 02.05.2015 (Annexure P-3), which appears to have been forwarded to the department for necessary action. Since no notification etc. for acquisition of the land has been issued and no amount of compensation paid, hence the instant writ petition has been filed.

We find that some of the issues raised hereinabove are questions of facts, which were dealt with vide the order dated 23.04.2014 passed by this Court in CWP No.15713 of 2006 (Lachhman Singh and another vs State of Punjab and others) (Annexure P-9). Hence this petition is disposed of with a direction to the authorities to decide the claim of the petitioners, as contained in the above-stated legal notice, in the light of the above-cited decision within a period of four months from the date of receipt of certified copy of this order.

(SURYA KANT)
JUDGE

August 29, 2016
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(SUDIP AHLUWALIA)
JUDGE

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