

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19028 of 2016.

Date of Decision: September 15, 2016

Navneet Randhawa

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Naresh Kaushal, Advocate, for the petitioner.

Mr.Rajesh Bhardwaj, Additional AG, Punjab,
for respondent Nos.1 & 2.

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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 to respondent Nos.1 & 2 only at this stage.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on their behalf.

Let two 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 respondent Nos.1 & 2 or to serve private-respondents at this stage as no order prejudicial to their interest is being passed.

The petitioner seeks a direction to the Land Acquisition Collector, Urban Estates, Mohali-respondent No.2 to release the compensation in respect of her land measuring 25 biswa situated in village Mullapur Garibdass, Tehsil Kharar, District Mohali, which is said to have been acquired vide Award No.547 dated 31.12.2013. The description of the land has been given in para No.2 of the writ petition. It is stated that no sooner the petitioner came to know re: acquisition of her land, she moved an application to release the compensation which was entered vide diary No.7957 dated 30.07.2014 (P-2), but nothing has been heard in response thereto. The aggrieved petitioner has accordingly filed this writ petition.

Heard learned counsel for the parties.

As may be seen from the averments made in the writ petition the issues which arise for consideration are questions of facts, namely, (i) whether the land mentioned in para No.2 of the writ petition has been acquired? if so, (ii) whether the petitioner is owner/co-owner of the said land and (iii) whether she is entitled to payment of compensation in respect of the acquired land?

All these questions are required to be answered at the hands of the Land Acquisition Collector. We thus dispose of this writ petition without expressing any views on merits, with a direction to respondent No.2 to determine the claim of the petitioner by passing a reasoned order, within a period of four months from the date of receiving a certified copy of this order. In case the petitioner is found entitled to compensation, the due amount be paid within a period of one month thereafter.

Let a copy of this order be given dasti to Mr.Rajesh Bhardwaj,
learned Additional Advocate General, Punjab, for information and
necessary compliance.

[SURYA KANT]
JUDGE

September 15, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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