

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 21088 of 2015

Date of Decision: 4.4.2016

Partap Singh

....Petitioner.

Versus

State of Haryana and others

...Respondents.

1. Whether the Reporters of the 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?

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Ms. Ramandeep Kaur, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Mr. Saurabh Mago, AAG, Haryana.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing the respondents to release him the compensation of his acquired land and for issuance of the No Objection Certificate regarding the released land.

2. The petitioner is owner of the land measuring 18 marlas situated in Sector 7, Safidon, District Jind. The respondents issued a notification dated 23.8.2007 under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 21.8.2008 under Section 6 of the Act for acquisition of the land including the land of the

petitioner. The petitioner filed objections under Section 5A of the Act. The petitioner filed CWP No. 12054 of 2009 for release of his constructed area, out of which some part had been released. When no heed was paid to the request of the petitioner, he moved an application dated 7.9.2015 (Annexure P-1) to respondent No.2 for release of the compensation amount for the remaining land and issuance of NOC for the released land, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved an application dated 7.9.2015 (Annexure P-1) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the parties, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the application dated 7.9.2015 (Annexure P-1), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of one month from the date of receipt of certified copy of the order. It is further directed that in case the petitioner is found to be entitled to the amount of compensation, the same be released to him within next one month, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

April 4, 2016
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(RAJ RAHUL GARG)
JUDGE