

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22632 of 2014 (O&M)

Date of Decision: 09.12.2016

Baldev Singh & Ors.

... Petitioners

VS.

UT Chandigarh & Anr.

... Respondents

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

Present: Mr. Hardip Singh, Advocate for the petitioners

Mr. Sanjeev Sharma, Senior Advocate with
Mr. Shekhar Verma, Advocate;
Mr. Vishal Sodhi, Advocate for UT Chandigarh

Ms. Deepali Puri, Advocate for MC Chandigarh

SURYA KANT, J. (Oral)

(1) The land of the petitioners situated in the revenue estate of village Raipur Kalan and Mauli Jagran, UT Chandigarh, fully described in para 2 & 3 of the writ petition has been acquired by the Chandigarh Administration vide award dated 28.01.2014.

(2) The petitioners have two-fold grievances. Firstly, they contend and rightly so that in view of the fact that the award was passed after the new Act came into force i.e. on 01.01.2014, the compensation has to be assessed under the new Act in view of Section 24(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Secondly, no compensation amount has been paid to them so far.

(3) The above-noticed legal position is not disputed by learned senior counsel for U.T. Administration also.

(4) Since the petitioners are undoubtedly entitled to compensation

petition with a direction to the Land Acquisition Collector to do the needful and pass an appropriate revised award within a period of three months from the date of receipt of certified copy of this order and disburse the compensation amount. The petitioners, if still dissatisfied, shall be at liberty to seek enhancement before an appropriate forum.

(5) Ordered accordingly.

(Surya Kant)
Judge

09.12.2016
vishal shonkar

(Sudip Ahluwalia)
Judge

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| 1. | <i>Whether speaking/reasoned?</i> | Yes |
| 2. | <i>Whether reportable?</i> | No |