

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.21403 of 2016.

Date of Decision: October 17, 2016

Karanjit Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.R.S.Manhas, Advocate, for the petitioner.

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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)

The petitioner is stated to be the owner of land measuring 4 kanal 9 marla, fully described in para No.2 of the writ petition. He alleges that a part of his land has been utilized by the Municipal Corporation, Amritsar for construction of road without acquiring the same. No compensation has obviously been paid to him. He thus seeks a writ of mandamus to direct the respondent-Corporation either to vacate or acquire his land in accordance with law and pay compensation to him.

The issue raised by the petitioner is essentially a question of fact. The year in which the Corporation allegedly took possession of his land has not been disclosed.

Be that as it may, the claim raised in this writ petition can be effectively adjudicated by the authorities after ascertaining the facts from the record. We thus dispose of this writ petition without expressing any

views on merits, with a direction to the Commissioner, Municipal Corporation, Amritsar to hold a fact-finding enquiry whether the land of the petitioner has been utilized for construction of road without its acquisition and if so, what would be the effect in law?

Let the issue be determined within a period of four months from the date of receiving a certified copy of this order. The petitioner may also be heard in person before taking a decision.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 17, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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