

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22089 of 2016 (O&M)

Date of Decision: 24.10.2016

Assa Singh & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

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

- | | |
|--|-----------------|
| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |
| 3. Whether Reporters of local papers may be allowed to see the judgment? | Yes / No |
| 4. To be referred to the Reporters or not? | Yes / No |
| 5. Whether the judgment should be reported in the Digest? | Yes / No |

Present: Mr. Puneet Jindal, Senior Advocate with
Ms. Neha, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) Notice of motion. On our asking, Mr. Rajesh Bhardwaj, Addl. AG Punjab accepts notice on their behalf. In view of the nature of order which we propose to pass, there is no necessity to call upon the respondents to file their reply/affidavit, at this stage.

(2) The petitioners are residents of villages Tibbi Khurd, Taridda, and Baje Ke, Districts Tarn Taran and Ferozepur. They allege that due to construction of two embankments on River Satluj in the area of their villages, the flow of the river has been diverted towards their agricultural fields due to which the crops have been destroyed and they are unable to carry out agricultural activities. The petitioners, with these allegations, seek a direction to the State of Punjab either to acquire their land or to pay them compensation @ Rs.45,000 to Rs.50,000 per acre. In support of their claim they rely upon, photographs, a site plan as well as entries in the revenue record.

(3) Having heard learned counsel for the petitioners and keeping in view the fact that most of the issues raised by the petitioners are disputed question of facts which, at best, can be looked into by the Department of Irrigation etc. and since the petitioners have already raised such claim vide legal notice dated 01.09.2016 (P7), we dispose of the writ petition without expressing any views on merits with a direction to respondent No.1 to obtain a fact-finding report from the District Administration and take necessary remedial action in accordance with law as early as possible but not later than four months from the date of date of certified copy of this order.

(4) Ordered accordingly.

(Surya Kant)
Judge

24.10.2016
vishal shonkar

(Sudip Ahluwalia)
Judge