

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.25217 of 2016.

Date of Decision: December 06, 2016

Surinder Singh and others

.....Petitioners

versus

Union of India and others

.....Respondents

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

Present: Mr.Rakesh Gupta, Advocate, for the petitioners.
Mr.Rajesh Bhardwaj, Additional Advocate General, Punjab.

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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.3, 5, 6, 7 & 9 only at this stage.

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

Let five 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.3,5,6,7 &9 or to serve respondent Nos.1,2, 4 & 8 at this stage.

The petitioners are residents of villages Kharajpur, Bathonia and Gandian, Tehsil Rajpura, District Patiala. Their agricultural lands are

adjacent to railway line from Ambala to Ludhiana. They have averred that the only public passage through which they could access to their lands, shown as A to B in the *Aksajra* (P-1), has also been acquired for the construction of railway line as a result of which the petitioners are left with no access to their agricultural lands. It is further averred that railway authorities have given additional compensation to the Gram Panchayats for construction of the road but no such action has been taken so far. The aggrieved petitioners represented to the authorities but finding no response, the instant writ petition has been filed.

Having heard learned counsel for the parties and in the light of the issues raised by the petitioners, it appears that the matter requires intervention by the authorities and if the facts, as pleaded by the petitioners, are found to be correct, it is imperative upon the respondents to provide some alternative passage to their agricultural lands. It is not expedient for us to express any views on merits of the petitioners' claim for the reason that we have not not taken view-point of the respondents at this stage. This writ petition is thus disposed of with a direction to the respondents especially respondent Nos.4, 6 & 7 to ascertain the correct facts and take necessary remedial action as early as possible but not later than four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

December 06, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No