

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.27347 of 2015 (O&M)

Date of Decision: 09.12.2016

Hem Raj & Ors.

... Petitioners

VS.

UOI & 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. Sanjeev Patiyal, 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

Mr. Deepak Sharma, Advocate of Chd. Housing Board

SURYA KANT, J. (Oral)

(1) Learned counsel for the petitioners at the outset restricts his claim *qua* non-payment of compensation and failure of the Land Acquisition Collector in assessing the compensation for the trees including fruit bearing trees. On this premise, he points out that the acquisition was made way back vide award dated 18.09.2009 i.e. more than 5 years have gone. It is averred that the authorities have neither paid full amount of compensation nor have assessed the due compensation for the standing trees.

(2) Having regard to the nature of the relief sought by the petitioners, we dispose of the writ petition with a direction to the Land Acquisition Collector, UT Chandigarh to assess the value of the trees, if any, found standing at the time of Section 6 notification and release the

compensation for the trees including fruit bearing trees along with up-to-date interest within three months from the date of receipt of certified copy of this order.

(3) Ordered accordingly.

(Surya Kant)
Judge

09.12.2016
vishal shonkar

(Sudip Ahluwalia)
Judge