

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.27577 of 2015 (O&M)

Date of Decision: 06.01.2016

Rattan Lal & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. Sandeep Sharma, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) Notice of motion. On our asking, Ms. Kirti Singh, DAG Haryana accepts notice on behalf of the respondents. 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.

(1) The petitioners are residents of village Mohammadpur Jharsa, Tehsil & District Gurgaon. The entire revenue estate of their village now forms part of the Urban Estate Gurgaon.

(2) The petitioners' grievance is that they are shareholders in the shamlat patti land of their village (Mohammadpur Jharsa) which has since been acquired by the State of Haryana vide notification dated 29.01.2003 for which the award was passed on 27.01.2006. They claim that since their individual shares in the *shamlat patti* were not reflected in the revenue record, they have not been paid compensation in lieu of their acquired land. It

is in this backdrop that a direction is sought to the Revenue authorities to correct and make necessary entries in the revenue record so as to enable the petitioners to claim compensations.

(3) Having heard learned counsel for the petitioners, it appears that the Revenue authorities are required to determine the following two questions, namely, (i) whether the petitioner(s) had actually any share in the Revenue estate of village Mohammadpur Jharsa which has since been acquired? and if so, (ii) what is the actual share of each proprietor/shareholder?

(4) It is undoubtedly true that unless the share-holding is specifically reflected in the Revenue record, the Land Acquisition Collector/authorities would not release compensation amount for want of exact particulars of the ownership of acquired land.

(5) Taking into consideration the aforesaid circumstances, we dispose of this writ petition without expressing any views on merit, with a direction to respondents No.3&4 to verify the individual claims of the petitioners; determine whether they owned any share in the Revenue estate since acquired, and if so, determine their respective holding so as to enable the petitioner(s) to put forth their claim for compensation for the acquired land.

(6) The petitioners shall be at liberty to submit their respective claims along with proof of ownership etc. to enable the authorities to decide the aforesaid questions.

(7) Let the needful be done within six months from the date of receipt of a certified copy of this order.

(Surya Kant)
Judge

06.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge