

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 3421 of 2016

Date of Decision: 19.2.2016

Bahadur Singh

....Petitioner.

Versus

The State of Punjab and others

...Respondents.

1. Whether the Reporters of the 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?

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Mr. Gaurav Sharma, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of Mandamus directing the respondents to release the amount of compensation along with interest and other benefits of the acquired land, possession of which has already been taken from the petitioner in the year 2010.

2. Respondent No.1 vide notification dated 30.10.2009 issued under Section 4 of the Land Acquisition Act, 1894 acquired the land of various villages including the land of the petitioner for construction Rehabilitation/Remodeling of Bhadaur Rajbaha Burji 350-47134 of taking at RD 221500/R Bathinda Branch. The award was passed. The

possession of the land of the petitioner was taken in the year 2010 but the amount of compensation has not been released to him. The petitioner along with others approached the Irrigation Department for releasing the compensation amount. Respondent No.1 vide letter dated 20.6.2013 (Annexure P-2) requested that the funds which were lapsed may once again be released. Thereafter, the petitioner moved a representation dated 19.3.2015 (Annexure P-3) to respondent No.3 for release of the compensation amount, but no response has been received. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a representation dated 19.3.2015 (Annexure P-3) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.3 to take a decision on the representation dated 19.3.2015 (Annexure P-3), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of certified copy of the order. It is further directed that in case it is found that the petitioner is entitled to the amount of compensation, the same be paid to him within next one month in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

February 19, 2016
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(RAJ RAHUL GARG)
JUDGE