

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.7352 of 2016 (O & M)
Date of decision: 23.04.2016

Sukhchain Singh and others

....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE S.S.SARON
HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. S.S. Behl, Advocate
for the petitioner.

S.S.SARON,J.

The petitioners have been served demand notices for payment of more amount for the plots allotted to them as the compensation payable to the land owners has been enhanced. They are aggrieved by the manner in which the enhanced compensation payable by them for the acquired land has been calculated.

Learned counsel appearing for the petitioners submits that without giving the details and the manner in which the calculations were made, the Jalandhar Development Authority ('Authority' – for short) (respondent No.4) issued notices for deposit of the amount as demanded towards higher compensation payable. It is submitted that the petitioners are liable to be informed the manner and method that has been

adopted for calculating the enhanced compensation, which is payable by them. Besides, the petitioners are entitled to ascertain as to whether the said calculations are correct and in accordance with law.

It is accepted by the learned counsel for the petitioners that for the said grievances, the petitioners have not approached the Authority (respondent No.4). The reason for not approaching the respondent No.4 - Authority, it is submitted is that since the demand had been raised, therefore, the petitioners are liable to pay the amount as claimed otherwise it may entail other consequences. However, in case the petitioners pay the enhanced compensation as demanded, then the manner in which the compensation payable has been calculated, would never be known as the payment would be made and the Authority would get dis-interested to inform the method and manner the calculations of the enhanced compensation claimed was made. It is, however, submitted that the petitioners would approach respondent No.4- Authority for the calculations made in the respective demand notices served to the petitioners and in case the petitioners are dissatisfied or the calculations are not in accordance with law, then they would seek their remedy of approaching this Court again for which liberty may be given.

Accordingly, the writ petition, on request of learned counsel for the petitioners is dismissed as withdrawn and the petitioners may approach the respondent No.4 - Authority, which

would satisfy them regarding the calculations made for the enhanced compensation payable by them. The manner in which the calculations have been made with regard to the demand for higher compensation payable by each of the petitioners be informed to them and till such time the calculations are provided, it is hoped that the respondent No.4 - Authority would not press for deposit of the amount demanded. In case the petitioners are dissatisfied with the manner of the calculations, they would be at liberty to approach this Court again.

(S.S. SARON)
JUDGE

23.04.2016
Sheetal

(SHEKHER DHAWAN)
JUDGE