

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8267 of 2016

Date of decision: May 02, 2016.

Pawan Kumar and others

... **Petitioners**

v.

State of Haryana and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE SURYA KANT**
HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Shri Narender Singh, Advocate, for the petitioners.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral):

The petitioners are residents of village Dadri, Tehsil Charkhi Dadri, District Bhiwani. They seek a direction to the Land Acquisition Collector, Hisar for the release of compensation to them in respect of the land particulars whereof are described in jamabandi for the year 2004-05 (Annexure P-1) and which has been acquired by the State Government under the Land Acquisition Act.

The claim of the petitioners is based upon the premise that the subject land is owned by *Shamlat Pana* Singhan and as such it does not vest in the Gram Panchayat. They further claim that the Dholidars, who were in its cultivating possession, also sought apportionment of compensation but their application under Section 30 of the Land Acquisition Act was dismissed by Additional District Judge, Bhiwani vide judgment dated

4.10.2013. That order is stated to have attained finality. It is thus asserted that except the petitioners, no other claimant has come forward to seek compensation, which is lying unutilized with the Land Acquisition Collector.

Having heard learned Counsel for the petitioners but without expressing views on the merits of the case, as we have not heard the respondents at this stage, we dispose of this writ petition with a direction to the Land Acquisition Collector, Hisar to ascertain the correct facts and if there is no dispute in re: title of acquired land, let the appropriate decision regarding disbursement of compensation to the true owners may be taken. The needful shall be done within a period of four months from receipt of certified copy of this order.

[Surya Kant]
Judge

[A.B. Chaudhari]
Judge

May 02, 2016.
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