

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 9709 of 2016

Date of Decision: 18.5.2016

Sohan Singh

....Petitioner.

Versus

State of Punjab and another

...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. Mohinder Pal, 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 not to proceed with the process of construction of the matted road on his agricultural land without payment of compensation or acquiring the land as per law.

2. The petitioner is owner in possession of the agricultural land situated within the revenue estate of village Khialiwalla, Tehsil and District Bathinda as per the jamabandi for the year 2012-13 (Annexure P-1). Respondent No.2 sent his officials for measurement and survey of the land on 19.1.2016. Thereafter on 29.1.2016, on the directions of respondent No.2, some labour entered in the northern side of the fields

of the petitioner and started earth filling work for the uplifting process for construction of the road. The petitioner objected and they left out and started their work on the other side. The petitioner made a representation dated 1.2.2016 (Annexure P-2) to respondent No.2 for not constructing the matted road on his agricultural land, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved a representation dated 1.2.2016 (Annexure P-2) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the parties, 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.2 to take a decision on the representation dated 1.2.2016 (Annexure P-2), 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.

(AJAY KUMAR MITTAL)
JUDGE

May 18, 2016
gbs

(RAJ RAHUL GARG)
JUDGE