

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

Varinder Singh
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Punjab & Haryana High Court at
Chandigarh

CWP No. 13640 of 1995 (O&M)

Date of decision: 23.1.2017

Ludhiana Improvement Trust, Ludhiana

.. Petitioner

vs

Land Acquisition Tribunal, Ludhiana and others

.. Respondents

Coram: **Hon'ble Mr. Justice Rajesh Bindal**
 Hon'ble Mr. Justice Harinder Singh Sidhu

Present: Ms. Shreya Vasishtha, Advocate, for the petitioner.
 Mr. Piyush Bansal, Deputy Advocate General, Punjab.
 Mr. G. S. Punia, Senior Advocate with
 Ms. Harveen Kaur, Advocate, for the private respondents.

Rajesh Bindal, J.

 This order will dispose of two petitions bearing CWP No. 13640 and 13641 of 1995, as common questions of law and facts are involved therein.

 However, the facts have been extracted from CWP No. 13640 of 1995.

 The challenge in the present petition is to the award of the Land Acquisition Tribunal, Ludhiana Improvement Trust, Ludhiana, dated 19.12.2014 passed in an application filed by the landowners under Section 151 read with Section 152 CPC for amendment of the earlier award dated 21.10.1985 and granting statutory benefits to them.

 Learned counsel for the private respondent submitted that the main award was challenged by the Improvement Trust, Ludhiana as well as

the private respondent in Civil Writ Petition No. 2943 of 1986 Ujagar Singh and others vs The Land Acquisition Tribunal, Ludhiana Improvement Trust, Ludhiana and others decided on 7.10.2009, filed earlier, in which finally it was held that the landowners shall not be entitled to benefits under Section 23(1A) of the Town Improvement Act, 1922, and in case the aforesaid benefit, had already been granted to the landowners, the same will be recovered from them only after adjustment against the payment which may become due to them in terms of that judgment. The amount was disbursed to the landowners. He further submitted that in view of the aforesaid development, the prayer made in the present petitions has been rendered infructuous.

The writ petitions are accordingly disposed of as infructuous. However, it is made clear that if any grievance subsists, the petitioner will be at liberty to file application for revival of the same within two months.

(Rajesh Bindal)
Judge

23.1.2017
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No