

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 1317 of 2005 (O&M)
Date of decision: 9.2.2017

Ravi Shanker

.. Petitioner

v.

The State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Naresh Kumar, Advocate for
Mr. R. D. Yadav, Advocate for the petitioner.
Mr. Ankur Mittal, Addl. Advocate General, Haryana.

...

Rajesh Bindal J.

The present petition has been filed seeking quashing of the order dated 23.3.2004, passed by the Land Acquisition Collector (for short, 'the Collector') in terms of the directions issued by this court on 26.4.2000 in CWP No. 4102 of 1999—Jagmal Singh and others v. The State of Haryana and another, for decision of the representation made by the petitioner.

The claim of the petitioner was that he had not been paid enhanced compensation along with statutory benefits for the acquired land which was owned by the petitioner. In the impugned order passed by the

Collector, complete facts have been mentioned stating that the petitioner

had received the compensation for the land owned by him in a joint khewat. Part of his share was sold by Jagmal Singh to the petitioner, who had received the compensation to the extent of land purchased by him from Land Acquisition Collector, but not filed any application under Sections 18 and 28A of the Land Acquisition Act, 1894 (for short, 'the Act').

Considering the aforesaid facts, we do not find that any case is made out for interference in writ jurisdiction. The issues sought to be raised by the petitioner could very well be gone into by the court in the proceedings initiated under Section 30 of the Land Acquisition Act, 1894, where the parties are also at liberty to lead evidence to show that they are entitled to receive compensation, if there is any dispute raised.

For the reasons mentioned above, we do not find any reason to interfere in the present petition. The same is dismissed. However, the petitioner, if so advised, shall be at liberty to avail of his any other alternative remedy in accordance with law.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

9.2.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No