

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

CWP No. 12714 of 2006 (O&M)

Date of decision: 25.4.2017

Ashok Kumar and others

.. Petitioners

vs

State of Punjab and others

.. Respondents

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

Present: Mr. Munish Jolly, Advocate, for the petitioners.

Ms. Munisha Gandhi, Addl. Advocate General, Punjab with
Mr. Sandeep Kumar Bansal, Asstt. Advocate General, Punjab.

Mr. R. S. Modi, Advocate, for Improvement Trust, Bathinda.

Rajesh Bindal, J.

This order will dispose of two writ petitions bearing CWP Nos. 12714 of 2006 and 19704 of 2008, as common questions of law and facts are involved therein.

However, the facts have been extracted from CWP No. 12714 of 2006.

Challenge has been made to the award of the Land Acquisition Tribunal (Improvement Trust), Bathinda, (for short, 'the Tribunal'), dated 27.2.2006, determining compensation for the land measuring 25.57 acres acquired by the Improvement Trust, Bathinda, for development scheme. Notification under Section 36 of the Punjab Town Improvement Act, 1922 (for short, 'the Act') was issued on 4.5.1990/18.5.1990 and under Section 42 of the Act, the same was issued on 3.5.1991.

The writ petition was admitted to be heard along with CWP No. 1526 of 2002 Amrik Singh vs The Land Acquisition Tribunal, Improvement Trust, Bathinda.

At the time of hearing, learned counsel for the petitioners pointed out that CWP No. 1526 of 2002 was disposed of by this Court on 5.5.2014, placing reliance upon earlier order passed in CWP No. 2024 of 1998 Roop Singh and others vs Land Acquisition Collector, Improvement Trust, Bathinda, and others, decided on 16.12.2013, pertaining to the same acquisition. The award of the Tribunal was set aside and the matters were remitted back to the Tribunal for decision afresh, after its decision in Kamla Nehru Nagar Scheme. The cases are stated to be still pending.

The aforesaid fact is not disputed by learned counsel for the respondents.

For the reasons stated in Amrik Singh's case (supra), the impugned award of the Tribunal is set aside and the matter is remitted back to the Tribunal for decision along with the other remitted matters. As the case is quite old, the Tribunal is directed to dispose of the same within six months.

The writ petitions stand disposed of.

(Rajesh Bindal)
Judge

25.4.2017
vs

(Harinder Singh Sidhu)

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