

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

**CM-5967-CWP-2017 in/and
CWP No.18028 of 2012
Date of Decision : 18.09.2017**

Harbans Singh and others

.....Petitioners

Versus

Amritsar Improvement Trust, Amaritsar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Neeraj Khanna, Advocate for the applicant-petitioners.

Mr. Indresh Goel, Advocate for respondents No.1 and 2.

ARUN PALLI, J. (Oral)

Claimant/landowners have assailed the award, dated 05.08.2011 (Annexure P-1), rendered by the Land Acquisition Claims Tribunal, Amritsar.

Learned counsel for the parties are *ad idem* that in the writ petitions preferred by the co-landowners i.e. CWP No.18456 of 2013, decided on 23.07.2014 (Harnam Dass and another Vs. Amritsar Improvement Trust, Amritsar and others) and other connected matters, this Court, had set aside the impugned award and remitted the matter to the Tribunal for re-decision. And, pursuant to the said order, the Tribunal has re-decided the matter vide an award dated 23.12.2016 (Annexure A-1) and the compensation awarded to the claimant/landowners has since been enhanced.

That being so, it is urged that the impugned award, dated 5.8.2011 (Annexure P1), be set aside and the matter be remanded to the Tribunal for decision afresh.

In conspectus of the above, the writ petition is allowed. The impugned award, dated 5.8.2011 (Annexure P-1), is set aside. The matter is remitted to the Tribunal for re-decision, in terms of the order, dated 23.07.2014, passed by the Division Bench, in the case of Harnam Dass and another (supra). Parties through their respective counsel are directed to appear before the District Judge, Amritsar on 28.09.2017. Since the matter pertains to an olden time, for, the notification under Section 36 of the Punjab Town Improvement Act, 1922, was issued on 06.01.1995, the Tribunal is requested to re-decide the reference within a period of four weeks from the date, parties shall cause appearance.

18.09.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No