

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

CWP No.16955 of 2017

Date of decision: 02.08.2017

Reshmi Devi and another

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Anand Chhibbar, Senior Advocate with
Mr. Lalit Thakur, Advocate and
Mr. Vaibhav Sahni, Advocate for the petitioners.

ARUN PALLI J. (Oral)

Notice of motion.

Mr. Shivendra Swaroop, AAG, Haryana, present in court,
accepts notice on behalf of the respondents.

For the matter in issue, and in the nature of the order, I propose
to pass in this petition, no formal written statement is necessary, at this
stage. Thus, with the consent of the parties, the petition is being disposed of
finally.

A writ in the nature of mandamus is prayed for, directing
respondent No.2 i.e. Land Acquisition Collector, to release the compensation
to the petitioners, they have been found entitled to, in terms of the award
dated 17.01.2013 (Annexure P5).

The petitioners happened to be the erstwhile land owners. Vide
notification dated 04.05.2011, issued under Section 4 of the Land
Acquisition Act, 1894 (for short, 'the Act'), a land situated in Village and

Tehsil Narnaul, District Mohindergarh was sought to be acquired for construction, maintenance, management and operation of Narnaul Bye-pass. Vide award No.40, dated 17.01.2013 (Annexure P5), the Land Acquisition Collector assessed the market value of the acquired land. The grievance of the petitioners is that although more than four years have gone by, but they are yet to receive the compensation in lieu of the acquisition of their land holding. So much so, the repeated representations made by the petitioners, dated 15.01.2013, 09.10.2013 & 19.05.2017 (Annexure P14 Colly.) to respondent No.2 have failed to evoke any response.

That being so, and without expressing any opinion on merits, the petition is disposed of, at this stage, with a direction to respondent No.2 to consider and decide the claim of the petitioners or their representations (Annexure P14 Colly.) strictly in accordance with law. Petitioners shall be afforded an opportunity of hearing and appropriate orders shall be passed within four weeks from the receipt of certified copy of this order. Respondent No.2 shall pass a comprehensive order and shall assign reasons in support thereof. Needless to assert, in the event, the petitioners are held entitled to receive any compensation in terms of the award (Annexure P5), the same shall be accordingly disbursed.

(Arun Palli)
Judge

August 2, 2017
Rajan

Whether speaking/reasoned:	YES
Whether Reportable:	NO