

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

CWP No.20617 of 2017

Date of Decision : 12.09.2017

Amrik Singh and others

.....Petitioners

Versus

Union Territory Chandigarh and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Kamal Chaudhary, Advocate for
Mr. Ravi Singh, Advocate for the petitioners.
Mr. Tarun Walia, Advocate for
Mr. Suvir Sehgal, Sr. Standing counsel for U.T. Chandigarh.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. Tarun Walia, Advocate for Mr. Suvir Sehgal, Sr. Standing
counsel, present in Court, accepts notice on behalf of the respondents.

Copy of the writ petition furnished.

For, the nature of order, I propose to pass in the matter, no
formal written statement/counter affidavit is indeed necessary on behalf of
the respondents, at this stage. Thus, with the consent of the parties, the
petition is being disposed of finally.

Predecessor-in-interest of the petitioners namely late Gurmail
Singh owned a land measuring 1 kanal 16 marlas situated in village
Maloya, UT Chandigarh. Vide notification, dated 27.09.2006, issued under
Section 4 of the Land Acquisition Act (for short, 'the Act'), a land
measuring 167.55 acres, including the land holding of late Gurmail Singh,

was acquired by the respondents for rehabilitation of Slum Dwellers in village Maloya, U.T.Chandigarh. The Land Acquisition Collector assessed the value of the acquired land at Rs.30,50,363/- per acre. Concededly, the petitioners never filed objections under Section 18 of the Act to the award rendered by the Collector. However, in the dispute raised by the co-landowners, arising out of the same acquisition, the reference Court vide order and judgment dated 23.09.2013 enhanced the compensation to Rs.58,56,000/- per acre. Resultantly, the petitioners moved the Collector under Section 28-A of the Act for re-determination of compensation on the basis of the award dated 23.09.2013. And, vide order (Annexure P-2), the Collector (respondent No.1) awarded compensation to the petitioners at the same rate as granted to their co-landowners vide award dated 23.09.2013 (Annexure P-1). The case set out in the petition is that subsequently in the appeal preferred by the other landowners i.e. **RFA No.6554 of 2013, “Gurpreet Singh and another Vs. Union Territory, Chandigarh”** this Court vide order and judgment dated 6.10.2015 (Annexure P-3) enhanced the compensation further to Rs.91,80,000/- per acre. It is urged that post decision of this Court dated 6.10.2015 (Annexure P-3), the petitioners represented the respondents to award them the same compensation as granted by this Court to their co-landowners. But to no avail. So much so, even the representation dated 23.05.2017 (Annexure P-4) served upon the respondents in this regard failed to evoke any response.

Learned counsel for the respondents submits that the representation made by the petitioners dated 23.05.2017 (Annexure P-4) shall be considered and decided by the respondents within a period of eight

weeks from today and the appropriate orders shall be passed.

Accordingly, the petition is disposed of, in the above terms.

Respondents shall pass a comprehensive order in accordance with law.

Needless to assert that this order shall not constitute any expression of opinion on merits of the claim of the petitioners.

12.09.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

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