

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8175 of 2012
Date of Decision : 22.09.2017

Swaran Singh
.....Petitioner
Versus
Amritsar Improvement Trust and another
..... Respondents
and other connected matters:

Filed by	Numbers	Total
Petitioner(s)	CWP Nos.13934, 16916, 16936, 16952, 16969 of 2012, 10050, 20192 of 2013, 12762, 10833, 10489, 10490 (O&M), 12946, 10832, 10488, 10834 of 2017 and 11607 of 2016.	16

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Kewal Krishan, Advocate for
Mr. Premjit Kalia, Advocate;
Mr. Naveen Batra, Advocate;
Mr. Prateek Mahajan, Advocate;
Mr. D.S.Pheruman, Advocate;
Mr. Harkesh Manuja, Advocate;
Mr. Shailendra Jain, Sr. Advocate with
Mr. Satyendra Chauhan, Advocate;
Mr. Vinod K. Kaushal, Advocate;
Mr. Ashish Aggarwal, Advocate and
Mr. Vaibhav Narang, Advocate
for the petitioner(s).

Mr. Indresh Goel, Advocate;
Mr. Sanjeev Soni, Advocate;
Mr. J.S.Toor, Advocate;
Mr. O.P. Sharma, Advocate;
for the Trust.

Ms. Rukhsaar Sandhu, AAG, Punjab.

ARUN PALLI, J. (Oral)

By this order and judgment, I shall decide a batch of 17 writ petitions, preferred by the claimant/landowners seeking enhancement in the compensation awarded by the Land Acquisition Tribunal, Amritsar. For, all these petitions arise out of the same acquisition and are directed against a common award, dated 05.08.2011 (Annexure P-1), these are being disposed of by a common order. However, by consensus, the facts are being culled from CWP No.8175 of 2012 (Swaran Singh Vs. Amritsar Improvement Trust and another).

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 since re-decided the matter vide an award dated 23.12.2016 (Annexure A-1), and the compensation awarded to the claimant/landowners has been further 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 petitions are allowed. The impugned award, dated 5.8.2011 (Annexure P-1), is set aside. The matters are 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 04.10.2017. Since the matters pertain to 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 references within a period of four weeks from the date, the parties shall cause appearances.

22.09.2017
Manoj Bhutani

(ARUN PALLI)
JUDGE

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