

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

106

CWP-21916-2017

Date of Decision: 26.09.2017

Surjit Singh and others

....petitioners

Versus

Punjab State Power Corporation Limited and another respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Ms.Mannat Anand, Advocate
 for the petitioners

ARUN PALLI, J. (ORAL):

This is a petition under Article 226/227 of the Constitution of India, praying for a writ in the nature of mandamus, directing the respondents to release the payment of balance compensation in lieu of the acquisition of their land holding.

Vide notification dated 05.04.1990, issued under Section 4 of the Land Acquisition Act, 1894, an area measuring 1593K-8M including the land owned by the petitioners, was sought to be acquired for construction of Ropar Thermal Plant (now Guru Gobind Singh Thermal Plant). Vide award No.4 dated 09.06.1992, the Collector assessed the market value of the acquired land. The reference Court, vide award dated 16.01.1998 (Annexure P1), enhanced the compensation to ₹ 3,40,000/- per acre. Further, in the appeals preferred by the claimant-landowners, against the said award, this Court, vide order and judgement dated 26.04.2006 rendered in RFA No.2748 of 1998, (Surjit Singh and others vs. The State of Punjab and another) and other connected matters, enhanced the compensation to

₹ 5,80,000/- per acre. Concededly, the decision of this Court has since attained finality, as the appeals preferred by the parties against the said judgement, were dismissed by the Supreme Court, vide order dated 10.02.2011 (Annexure P3).

The limited grievance of the petitioners is that they had moved the executing Court as back as on 30.03.2016, but, to date they have not been disbursed the compensation, they are entitled to.

I have heard learned counsel for the petitioners and perused the records.

Concededly, the executing Court is in seisin of the proceedings and the matter is alleged to be posted for 12.10.2017. Prima facie, the grievance of the petitioners appears to be well founded. Thus, at this stage, the petition is disposed of, only with a liberty to the petitioners to move the executing Court, itself, in this regard. This Court is sanguine, that, in the event, any such prayer is made or the petitioners move any application in this regard, the same shall be considered and decided, at the earliest. And the executing Court shall make every endeavour to conclude the proceedings as expeditiously as possible.

September 26, 2017
neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No
Yes/No