

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.27364 of 2016

Date of Decision: January 09, 2017

Mohni Dhaba and others

.....Petitioners

versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Sanjeev Kumar, Advocate, for the petitioners.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The petitioners claim themselves to be tenants-cum-occupiers of the shops/structures raised on the land which was acquired by the Bathinda Improvement Trust.

After a long legal battle, the said acquisition has been upheld by this Court in LPA No.44 of 1990 (Bhatinda Improvement Trust versus Madan Lal and others and other connected appeals, decided on 31.08.2016. Since the resultant effect is that the expropriated owners are entitled to compensation, the petitioners claim that they being tenants/occupiers are also entitled to apportionment of such compensation.

Though the law provides an express remedy for determination of right to apportionment of compensation none-the-less the petitioners seek a direction for decision on their representation dated 18.11.2016 said to have been submitted to the Bathinda Improvement Trust.

In view of the nature of prayer, we dispose of this writ petition without expressing any views on merits, with a direction to the Chairman, Improvement Trust, Bathinda, to consider and decide the above-stated claim said to have been submitted by one of the petitioner, in accordance with law and by way of a reasoned order, within a period of three months from the date of receiving a certified copy of this order. However, if the petitioners still would be left with any grievance, they may approach the appropriate forum under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

January 09, 2017
mohinder

**[SUDIP AHLUWALIA]
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No