

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.4757 of 2017

Date of Decision: March 08, 2017

Amarjit Cycle Works and anotherPetitioners

versus

State of Haryana and anotherRespondents

**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 17.02.2017 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 the petitioners, 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 would still 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

March 08, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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