

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

**CWP No.5324 of 2017
Date of Decision : 01.09.2017**

Dharmender and othersPetitioners
Versus
State of Haryana and others Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr.Mohit Garg, Advocate for the petitioners.
Mr. Shivendra Swaroop, AAG, Haryana.

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 respondents No.2 to 5 to deposit the compensation, the petitioners are entitled to in lieu of their land holdings that has since been acquired vide an award dated 29.07.2016 (Annexure P-1), rendered by the Collector.

Notice of this petition was issued to the respondents and a reply thereto has been filed.

Concededly, the petitioners happened to be the co-sharers in a land situated in khewat/khata Nos.410/548, khasra No.1790 (3 bighas and 12 biswas) and khewat/khata No.415/453, khasra No.1787 (measuring 4 bighas and 4 biswansi), situated in the revenue estate of village Shikohpur, Tehsil Manesar, District Gurugram. In the written statement filed on behalf of the respondents, it is stated, *inter alia*, that the compensation amount; ₹55,42,80,150/- that is being claimed by the petitioners has not yet been disbursed, for, in the record of rights the acquired land was recorded as Shamlat Patti Shajram. Further, more than 100 individuals were involved in the acquired land and share of each of the petitioners in joint khata was yet to

be ascertained. So much so, few of the other co-sharers had also moved to the Collector, under Section 30 of the Land Acquisition Act on 21.10.2016 and 28.10.2016, respectively (Annexure A-1 colly.). And, it was prayed that the compensation amount be deposited with the reference Court for apportionment thereof.

Learned counsel for the petitioners submits that the petitioners have furnished all the necessary documents to respondent No.3, that are required to release the compensation, but to no avail. He asserts that repeated visits and even the representation dated 03.01.2017 (Annexure P-6) served upon the respondent No.3 has failed to evoke any response.

In response, learned State counsel submits that the representation that purports to have been made by the petitioners shall be considered and decided by respondent No.3 and appropriate orders shall be passed in this regard.

In the wake of the above, the petition is disposed of with a direction to the Land Acquisition Collector, Urban Estate, Gurugram (respondent No.3) to decide the representation made by the petitioners dated 03.01.2017 (Annexure P-6) within a period of three weeks from today. Needless to assert that appropriate orders shall be passed in accordance with law. And, if necessary, the petitioners shall also be afforded opportunity of hearing.

01.09.2017

*Manoj Bhutani***(ARUN PALLI)**
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No