

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

CWP No. 15016 of 2018
Date of decision: 01.06.2018

Sukhchain Singh

....Petitioner(s)

Versus

UOI and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks directions to the respondents to consider the claim of the petitioner and release the withheld amount of Rs.2,43,187/- alongwith interest @ 18% per annum out of the total awarded amount of Rs.87,34,473/-.

It is the case of the petitioner that on account of the award dated 31.10.2014. pronounced by respondent no. 2, the Land Acquisition Collector (Sub Divisional Magistrate), Faridkot, the abovesaid amount had become payable due to the acquisition of the land falling on National Highway No. 15. Reference is made to Annexure P-1 to show the entitlement as such of the petitioner wherein also, a sum of Rs.2,07,722/- has been ordered to be withheld.

Counsel submits that at this stage, he would be satisfied if a decision is taken on the legal notice dated 23.09.2016 (Annexure P-2) which has been followed by a reminder on 27.11.2017 (Annexure P-4) and which were duly forwarded to respondent no. 4-Deputy Commissioner by respondent no. 1 vide communication dated 14.12.2017 (Annexure P-5).

The same was further forwarded to respondent no. 2.

Notice of motion.

Mr. IPS Doabia, Addl. A.G., Punjab accepts notice on behalf of the State. Copies given.

Keeping in view the above, this Court does not feel it necessary to call for the reply of the respondents as only consideration on the legal notice is sought on the basis of the award and decision making is still pending.

Without commenting upon the merits of the case and the entitlement of the petitioner and keeping in mind the matter is still pending consideration, the present writ petition is disposed of with the direction to respondent no. 2 to take a decision on the legal notice dated 23.09.2016 (Annexure P-2) and reminder dated 27.11.2017 (Annexure P-4) within a period of 4 weeks from the date of receipt of the certified copy of this order.

In case the amount has become due to the petitioner, the same be disbursed forthwith. Needless to say that, in case there is any legal impediment in release of the amount, then a speaking order be passed and be conveyed to the petitioner.

01.06.2018
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No

