

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.16823 of 2018.

Date of Decision: July 17, 2018

Jaiveer and another

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Abhilaksh Grover, Advocate, for the petitioners.

Mr.Deepak Balyan, Additional AG, Haryana.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 to 4 only at this stage.

On our asking, Mr.Deepak Balyan, Additional Advocate General, Haryana, accepts notice on their behalf.

Let four copies of the writ petition be handed-over to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

Since no direction on merits is being issued, it is not necessary to serve respondent Nos.5 & 6 or to seek any counter-reply from respondent Nos.1 to 4 at this stage.

The petitioners are residents of village Daunadi Kalan, Tehsil Narwana, District Jind. It is alleged that respondent Nos.5 & 6 have been given mining contract and they have extracted sand from agricultural land of the petitioners as per the details given in para No.2 of the writ petition, in terms of the licence granted to them by the State of Haryana. However,

respondent Nos.5 & 6 have not paid the agreed compensation to the

petitioners. It is averred that the respondent-Mining Company was to pay Rs.25,000/- per acre as compensation for crops, Rs.35,000/- per acre as cost of soil, per annum, in addition to Rs.5,000/- per acre for leveling of the field. However, only two installments of Rs.25,000/- each were paid to the petitioners in July and August, 2017 and no other payment has been made. The petitioners, after running from pillar to post and after repeatedly representing the Mining Officer, have approached this Court.

Having heard learned counsel for the petitioners and learned State counsel, it appears that if the plea taken by the petitioners is factually correct then it is imperative upon respondent Nos.2 to 4 to immediately intervene in the matter and ensure that the due amount of compensation is released to the poor farmers like the petitioners alongwith interest as per the agreed terms and conditions. Let respondent No.3 with the help of respondent Nos.2 & 4 consider and resolve the petitioners' claim within a period of two months from the date of receiving a certified copy of this order.

The writ petition stands disposed of accordingly.

[SURYA KANT]
JUDGE

July 17, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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