

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29947-2017

Date of Decision: January 08, 2018

Pradeep Singh Pathania

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Munish Puri, Advocate for the petitioner.

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SURYA KANT, J.

The petitioner is a resident of Chand Bhaan, Lamini Road, Vishvakarma Nagar, Tehsil & District Pathankot. He owns agricultural land within the revenue estate of village Pangoli, Hadbast No.351, Tehsil and District Pathankot. It appears that petitioner's land measuring 2K-11M comprising Khasra No.50R/18/2 was acquired in the year 1991 for which he was paid compensation. It further appears that the petitioner's other parcel of land bearing Khasra Nos.50R//17/3/2, 50R//17/3/1 and 61R//2/1 is also in possession of the defence authorities, though no acquisition qua that land has been made. The petitioner's grievance is that the authorities cannot keep unauthorised possession of his land without acquiring it in accordance with law. No sooner the petitioner came to know that the above-stated khasra numbers have never been acquired, he made representations dated

07.03.2011, 18.05.2015 and 02.06.2017, Annexures P5, P6 and P9 respectively but finding no response thereto, the instant writ petition has been filed.

[2] Having heard learned counsel for the petitioner and considering the categoric plea taken by him that the above-mentioned khasra numbers are in occupation of the defence authorities without acquiring the land in accordance with law, the instant writ petition is disposed of with a direction to the respondent-authorities to consider the petitioner's claim regarding release of his land and/or to acquire the same in accordance with law.

[3] Let an appropriate decision in this regard be taken within a period of four months from the date of receipt of a certified copy of this order.

**(SURYA KANT)
JUDGE**

January 08, 2018
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**(SHEKHER DHAWAN)
JUDGE**

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |