

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

CWP No. 5928 of 2018
Date of decision: 12.03.2018

Mehar Chand and others

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Sanjay Mittal, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The present writ petition has been filed for issuance of directions to respondents to release the royalty/annuity to the petitioners as per policy dated 09.11.2010 (Annexure P-6). It is the case of the petitioners that total land measuring 21 kanals 1 marla in village Asalwals, Tehsil Bawal, District Rewari was acquired in the year 2006. Thereafter, 360 kanals 10 marlas in the same village alongwith 19 kanals 17 marlas in village Bagthala was acquired vide notification dated 31.08.2008. As per the Rehabilitation and Resettlement of Land Owners-Land Acquisition Oustees Policy dated 07.12.2007 (Annexure P-5), they were entitled for annuity and thereafter, the policy dated 09.11.2010 which was a revised policy had come into force. The respondents had been paying the annuity/royalty as per the policy dated 07.12.2007 upto the year 2014. Thereafter, no annuity has been paid by the respondents and the petitioners have become jobless after the acquisition of land and they were dependent upon the annuity released by the respondents.

Counsel for the petitioners has further submitted that

representations dated 20.05.2015 and 11.09.2017 regarding this aspect have already been addressed (Annexures P-7 and P-9) but no action has been taken on the same. Counsel further submits that he would be satisfied if the same are decided within a fixed time frame.

Notice of motion.

Ms. Safia Gupta, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Keeping in view the above, this Court is of the opinion that no useful purpose would be served to ask the respondents to file reply as it will only delay the matter and the grouse is as such which can be redressed by directing the respondents to decide the issue in a fixed time frame.

Accordingly, without commenting on the merits of the case or the entitlement of the petitioners for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with a direction to respondent no. 5 to take a decision on the representation dated 11.09.2017 (Annexure P-9) within a period of 4 weeks from the date of receipt of certified copy of the order. In case the petitioners are found entitled for their necessary claim, the payment shall be disbursed forthwith to them. In case there is any legal impediment and they are held not entitled for payment of annuity, a reasoned order be passed and conveyed to them.

12.03.2018
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No