

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1.

CWP-7924-2018
Date of Decision: April 02, 2018

Bhan Chand

Versus

State of Punjab and others

.....Petitioner

.....Respondents

2.

CWP-7925-2018

Jaswinder Singh

Versus

State of Punjab and others

.....Petitioner

.....Respondents

3.

CWP-7926-2018

Tarlochan Singh

Versus

State of Punjab and others

.....Petitioner

.....Respondents

4.

CWP-8004-2018

Neta Singh

Versus

State of Punjab and others

.....Petitioner

.....Respondents

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

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.J.P.S.Sidhu, Advocate for the petitioners.

SURYA KANT, J.

The land of the petitioners was acquired by State of Punjab for construction of Peona Power Development Plant at Gobindpura, Tehsil Budhlada, District Mansa. One of the grievance of the expropriated owners including the petitioner in a bunch of writ petitions before this Court, has been that neither they have been paid compensation as assessed by the Collector for a long period of five years nor the due amount of statutory interest and other benefits have been released. A set of one of such writ petitions was disposed of by a Coordinate Bench of this Court vide order dated 01.03.2017 passed in CWP No.16220 of 2016 (**Tarlochan Singh vs State of Punjab and others**) and other connected cases, observing that the dispute raised in such like cases can be decided by District Judge concerned after affording opportunity of hearing to the parties so that they may also lead their evidence. We see no reason to take a different view since case of the petitioners in the instant writ petition is that neither they were paid full amount of compensation for the entire acquired land nor interest on delayed payment has been released, besides that they are entitled to compensation at a higher rate. We are of the view that all these factual issues can be raised by the petitioners through Reference before the District Judge.

[2] The writ petitions are, thus, disposed of with a direction that in case the petitioners file Reference within two weeks from the date of receipt of a certified copy of this order, the Collector concerned shall forward the same to the Court of competent jurisdiction within three weeks for its adjudication in accordance with law and in the light of the observations

Singh's case (supra).

[3] The question of compliance of directions issued by this Court to pay upto date interest shall also be examined by learned District Judge.

**(SURYA KANT)
JUDGE**

April 02, 2018
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**(SHEKHER DHAWAN)
JUDGE**

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