

Sr. No.132

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

**CWP No.16645 of 2019 (O&M)
Date of Decision: 01.07.2019**

Mohmmad Ishak

... Petitioner

Versus

Land Acquisition Collector-cum-District Revenue Officer and
others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sandeep Sharma, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

The petitioner herein is aggrieved herein qua non-implementation of the National Rehabilitation and Re-settlement Policy, 2007 dated 31.10.2007 (Annexure P-1). Being owner of the land situated in Village Sehsola, Tehsil Tauru, District Nuh that was acquired for development of Railway Freight Corridor vide Award No.19 dated 05.05.2015 (Annexure P-2), the petitioner has been given only the monetary benefit of compensation but, till date he has not been accorded the other benefits as envisaged in the Policy, *ibid*, despite a lapse of more than 4 years. The decision on grant of benefit as per the Policy is still awaited till date.

2. Learned counsel for the petitioner has drawn my attention to the award dated 05.05.2015 (Annexure P-2), wherein it has been specifically stated in respect of the Rehabilitation and Re-settlement benefits that the same shall be declared at a later date

as per the provisions of the National Rehabilitation and Re-settlement Policy, 2007.

3. A perusal of the said Policy particularly sub clause 7.13.1 clearly shows that in case of a project involving land acquisition, the requiring body (Railways) shall, *inter alia*, make following provisions:-

“a) the requiring body shall give preference to the affected families-at least one person per nuclear family- in providing employment in the project, subject to the availability of vacancies and suitability of the affected person for the employment;

4. Notice of motion.

5. On asking of the Court, Mr. Karminder Singh, Advocate who is present in Court accepts notice. Copy of the petition has been supplied to him in course of hearing.

6. Given the nature of the order being passed, no further proceedings and/or pleadings are required in the present case.

7. In view of the representation dated 09.01.2019 (Annexure P-4) which has already been submitted by the petitioner seeking compliance of the Policy, *ibid*, the writ petition is disposed of with a direction to the respondents to pass a speaking order keeping in view the averments contained in the representation and also by treating the present writ petition as a supplementary representation.

8. Let the needful be done within a period of 6 months

from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

01.07.2019

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned

Whether Reportable

Yes/No

Yes/No