

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

CWP No.13320 of 2020.

Decided on:- September 01, 2020.

Raj Pal Singh and others

.....Petitioners.

Versus

Union of India and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Atul Yadav, Advocate
for the petitioners.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioners, who are residents of village Kaluwas, Tehsil and District Rewari, have filed this civil writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to construct/left underpass below the newly constructed Sadalpur Railway Line enabling the petitioners to approach their respective fields.

Learned counsel for the petitioners has argued that vide notification dated 07.11.2016, the Railway Department had acquired the land adjoining the land of the petitioners for the purpose of New Sadalpur Railway Line and Khasra No.484 had also been acquired and compensation was

received by the Municipal Council. However, while constructing the new Sadalpur Railway Line, no underpass was left/constructed by the respondents and the petitioners have been left with no way to enter their fields and in this manner, the very property owned and possessed by them cannot be utilised to its optimum use. The construction work of new Sadalpur Railway Line has recently been started. Therefore, the present petition.

He has further contended that the petitioners have submitted a representation dated 26.12.2018 (Annexure P-3) followed by a reminder dated 21.02.2019 (Annexure P-8) to the respondent No.3 Deputy Regional Manager (DRM), North-Western Railway Department, Jaipur Division, Jaipur, but no decision thereof has been taken in these representations till date.

I have heard learned counsel for the petitioners.

Without making any observations on the merits of the case, the present petition is disposed of at this stage with a direction to the respondent No.3 or any other competent authority to take a final decision on the aforesaid representation (Annexure P-3) and reminder (Annexure P-8) preferably within a period of six months from the date of receipt of certified copy of this order. The respondent No.3/competent authority shall communicate the decision taken on the aforesaid representation (Annexure P-3) and reminder (Annexure P-8) to the petitioners.

September 01, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No