

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

113

CWP No.4054 of 2021
Date of Decision : 22.02.2021

Neetu and others

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. N.S.Sodhi, Advocate
for the petitioners.

* * *

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioners seek the indulgence of this Court for issuance of a writ in the nature of mandamus directing the respondents to take action on their representation dated 12.10.2020 and to release the enhanced amount of compensation to them in view of the judgment as handed down by the Apex Court on 11.03.2019 (Annexure P-4).

As per the averments of the petitioners as canvassed in this petition, their land had been acquired by the respondent-State vide notification dated 03.07.1995, as issued under Section 4 of the Land Acquisition Act, for the public purpose and the Land Acquisition Collector had assessed the market value of their acquired land as Rs.3,85,000/- per acre. However, they sought enhancement of the said compensation and the reference, as made to the Court of learned District Judge, Faridabad in this

regard, was decided vide Award dated 01.05.2001 (Annexure P-2) whereby the amount of compensation was enhanced to Rs.400/- per square yard. Still being dissatisfied, they had preferred RFA No.1671 of 2012 before this Court and vide judgment Annexure P-3 dated 02.03.2013, the amount of compensation had been further enhanced to Rs.795/- per square yard. Thereafter, some of the aggrieved land-owners approached the Hon'ble Supreme Court by way of SLP (Civil) No.15098 of 2016 and Civil Appeal No.2736 of 2019 and vide judgment Annexure P-4, the said matter was decided while modifying the order of this Court to the effect that the claimants of the land acquired under the notification dated 03.07.1995 would be entitled to the compensation @ Rs.1210/- per square yard along-with all other statutory benefits under the Act. The petitioners have, further, mentioned that they have already moved representation Annexure P-1 to the respondent-State for seeking the release of the enhanced amount of compensation to them in terms of the said judgment Annexure P-4 but the same has not yet been released.

Notice of motion.

Mr.S.S.Pannu, Deputy A.G., Haryana, who has joined the proceedings in pursuance of the copies of this petition having been sent to the respondents-State in advance, accepts notice on behalf of respondents No.1, 2, 4 and 5.

Heard.

Learned counsel for the petitioners submits that the petitioners would be satisfied if a direction is issued to respondent No.5 to decide the said representation of the petitioners (Annexure P-1) within some specific

time frame.

Learned State counsel has no objection for the same.

Keeping in view the afore-discussed limited prayer of learned counsel for the petitioner and without commenting upon the merits of the matter in hand, the present petition is hereby disposed of with a direction to respondent No.5, i.e. the Estate Officer, Haryana Urban Development Authority, Faridabd, to look into and decide the afore-said representation of the petitioners (Annexure P-1) in accordance with law, by passing a speaking order thereon, within a period of three months from the date of receipt of the certified copy of this order.

This petition stands disposed of accordingly.

22.02.2021
anju

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No