

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

**CM Nos.9037-CWP and 5082-CWP of 2021 in/and
CWP No. 3148 of 2018**

Date of Decision: August 05 , 2021.

Kulwant Singh and another

..... PETITIONERS

Versus

State of Punjab and others

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ramesh Chand Sharma, Advocate
for the petitioners.

Mr. Abhaypal Singh Gill, AAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This matter is being taken up for hearing through video conferencing
due to outbreak of the pandemic, COVID-19.

CM Nos.9037-CWP and 5082-CWP of 2021

Prayer in the applications is for preponement of hearing of the main
petition.

Writ Petition is listed for today, thereby rendering the applications
infructuous.

Applications are accordingly dismissed as infructuous.

CWP No.3148 of 2018

Prayer in this writ petition is for directing the respondents to pay compensation to the petitioners of the land used/taken for construction of Sarrian Drain.

As per reply dated 03.07.2018 filed by way of affidavit of Mr. Pawan Kumar, Executive Engineer, Drainage Construction Division, Ferozepur at Fazilka, District Fazilka on behalf of the respondents, it is stated that the Department of Water Resources, Punjab has already undertaken the work for assessment of compensation for construction of the Sarrian drain after determining market value as on 19.01.1979 and during this process if it is found that land of the petitioners has been utilized for drain, petitioners will be paid the compensation.

Learned counsel for the petitioner submits that no decision has been taken till date. Mr. Sharma, learned counsel for the petitioner, at this stage, restricts the prayer for a direction to the respondents to take a final decision regarding assessment of the compensation in terms of reply dated 03.07.2018, filed by them, in a time bound manner.

Keeping in view the facts and circumstances as well as the limited prayer addressed, but without expressing any opinion on the merits of the case, this writ petition is disposed of with a direction to the competent authority to take a final decision regarding assessment of compensation for the land utilized for construction of the Sarrian drain, in accordance with law by passing a speaking order, within a period of three months from date of receipt of certified copy of the order. In case land of the petitioners is found to have been utilized therein and they are found to be entitled for compensation, the same be released to them

within six weeks thereafter.

August 05 , 2021.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No