

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 14692 of 2022

Date of Decision: 15.07.2022

Malkeet Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. J.P.S.Sidhu, Advocate
for the petitioner(s).

Mr. Nikhil Chopra, Additional Advocate General,
Punjab, for the respondent No.1 and 2.

Anil Kshetarpal, J.

1. The petitioner herein prays for issuance of a writ in the nature of certiorari to quash the impugned recovery notice dated 04.04.2022. He claims that on account of acquisition of his property in accordance with the provisions of the Land Acquisition Act, 1894, he was paid certain amount, but ₹1,19,109/- is sought to be recovered as excess compensation paid. He submits that the aforesaid recovery notice is, in fact, an order for recovery of the amount which could not be passed without following the principles of natural justice.

2. Per contra, the learned counsel representing the State of Punjab has submitted that the amount paid in excess to the various landowners is now sought to be recovered in view of the order passed by the High Court in other cases against which the contempt petition is pending for

26.08.2022. He submits that the competent authority has no objection if the

petitioner appears before the Land Acquisition Collector-cum-Sub Divisional Magistrate, Budhlada, and furnish his explanation.

3. Keeping in view the stand taken by the learned counsel representing the State of Punjab, this writ petition is disposed of by directing the petitioner to appear before the Land Acquisition Collector-cum-Sub Divisional Magistrate, Budhlada, on 19.07.2022 at 10.00 A.M. while furnishing his written explanation. It shall be open to the competent authority to pass a fresh order after considering the explanation, so furnished by the petitioner.

(Anil Kshetarpal)
Judge

July 15, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No