

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

CWP-24035-2022 (O&M)
Date of decision: 18.10.2022

Sh.Surinder Singh and others

....Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Kahlon, Advocate for the petitioners

Mr. Sandeep Chopra, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

The petitioners pray for issuance of a writ in the nature of Prohibition to restrain the official respondents no.1 to 5 from releasing the payment of the entire property of M/s Friends Association.

Some facts are required to be noticed. The preliminary notification under Section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the 2013 Act') was issued on 17.05.2021. The Land Acquisition Collector (LAC) announced the award on 20.09.2022. The petitioners claim that their predecessor-in-interest late Sh. Dalbir Singh was a partner to the extent of 20% in M/s Friends Association. They claim entitlement to the compensation to the extent of his share. As per Section 76 of the 2013 Act any interested person, who claims share in the compensation, is entitled to file an application to the Land Acquisition Collector, for referring the matter to the competent authority. Hence, the petitioners have an alternative

statutory remedy. Consequently, the writ petition is disposed of while relegating the petitioners to the alternative remedy.

All the pending miscellaneous applications, if any, are also disposed of.

18.10.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE