

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

**CWP-26253-2022 (O&M)**

Date of decision: 17.11.2022

Narinder Singh and another

...Petitioners

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr.H.S.Saini, Advocate for the petitioners

Mr. Sandeep Chopra, DAG, Punjab

**ANIL KSHETARPAL, J (Oral)**

1. The petitioners are the residents of Village Jawalapur. They have filed a writ in the nature of Mandamus, to direct the State of Punjab to pay compensation, for the land, which has been involuntarily acquired by the State Government for constructing a drain. It has been pointed out that the notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the '1894 Act') was issued on 29.01.2002, whereas the declaration under Section 6 of the 1894 Act was published on 16.01.2003. The State of Punjab took over the possession of the land in the year 2004 without announcing the award. It has been pointed out that certain residents of Village Shadipur filed CWP-12372-2009, which was disposed of on 19.08.2009, with the direction to the State to pass the appropriate award, if not already passed.

2. The notifications under Section 4 and 6 of the 1894 Act have already lapsed. From 01.01.2014 the **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013** has become applicable in the entire country.

3. Keeping in view the aforesaid facts, the writ petition is disposed of while directing the Deputy Commissioner, Patiala to examine the matter and decide the petitioners' claim, by passing a speaking order, within a period of two weeks, from today. The concerned parties shall be given an opportunity of hearing, before passing the speaking order.

4. Disposed of.

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

17.11.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)**  
**JUDGE**