

119 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. of 9522 of 2023 (O&M)
Date of Decision: 03.05.2023

Gurmail Singh

..... Petitioner

V/s.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Augustine George Masih, J. (Oral)

The petitioner has approached this Court with a grievance that the land of the petitioner has been acquired by the respondents and in pursuance to the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, the petitioner had opted for the Land Pooling Scheme, according to which the petitioner would be entitled to residential plot and commercial site as well. The petitioner has been approaching the respondents for consideration of his claim but no response is being received from them. The petitioner has served a notice through the counsel dated 02.04.2023 (Annexure P-5) upon the Land Acquisition Collector, Greater Mohali Area Development Authority (GMADA)- respondent No.4 but that also has not been responded to, till date.

Learned counsel for the petitioner contends that he, at this stage would be satisfied if a direction is issued to the said respondent(s) to consider the legal notice dated 02.04.2023 (Annexure P-5) within some specified time.

Notice of motion.

On the asking of the Court, Mr. V.G. Jauhar, Addl. A.G., Punjab,

accepts notice on behalf of the respondents-State.

Without going into the merits of the case or commenting thereon, we dispose of the present writ petition by directing the Land Acquisition Collector, GMADA, Mohali-respondent No.4 to consider and take a decision on the legal notice dated 02.04.2023 (Annexure P-5), within a period of six weeks. The decision so taken be conveyed to the petitioner forthwith.

In case, the claim of the petitioner is accepted, the consequential relief be also granted to the petitioner within a further period of four weeks.

(Augustine George Masih)
JUDGE

3rd May, 2023

Sonia Puri

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(Harpreet Singh Brar)
JUDGE