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

CWP No. 11657 of 2023 (O&M)

Date of Decision: 04.07.2023

Manpinder Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karandeep Singh Sidhu, Advocate
for the petitioners.

HARKESH MANUJA, J. (ORAL)

By way of present petition, prayer has been made for directing the respondents to pay compensation alongwith interest @ 24% per annum to the petitioners on account of their land having been possessed on 17.12.2001 for construction of Ghanga Kalan Reclamation Channel from RD-0.44500 off taking at RD125850/R Main Branch in Tehsil Jalalabad, District Fazilka; however, having abandoned later.

[2] Learned counsel for the petitioners refers to a series of decisions made by this Court appended with the petition as Annexures P-2 to P-6, wherein similar relief has been ordered in favour of other landowners.

[2.1] Learned counsel also submits that at the time of passing of order dated 25.05.2017 (P-4) passed in CWP-3804-2017, titled as “*Baltej Singh and others Versus State of Punjab and others*”, a statement was made on behalf of the State that the orders passed by this Court in CWP-11041-2009, titled as “*Gurdeep Singh and others Versus State of Punjab and others*”, decided on 10.02.2010; and in CWP No. 8098 of 2011, titled “*Karnail Singh*

and others Versus State of Punjab and others”, decided on 11.07.2011, (pertaining to the similar cause) were being followed in all the cases and the claims of landowners were considered; however, despite the aforesaid, the petitioners have been compelled to approach this Court. Relevant para of order dated 25.05.2017 (P-4) reads as under:-

“

Learned counsel for the State fairly submitted that the orders passed by this Court in Gurdeep Singh and others and Karnail Singh and others cases (supra) are being followed in all the cases, whose land was utilised for the purpose of construction of Ghanga Kalan Reclamation Channel, the project which was ultimately abandoned. The claims are being considered and the amount is being paid to the rightful owner. Needful in the case of the petitioners shall also be done within a period of three months from the date of receipt of copy of the order. ”

[2.2] Learned counsel further submits that the petitioners have though approached the respondents vide representation dated 10.06.2021 (P-1); however, the same has not been dealt with by the respondents.

[3] Notice of motion.

[4] Mr. Athar Ahmed, Deputy Advocate General, Punjab, accepts notice on behalf of the respondents.

[5] In view of the above but without going into the merits of the averments, present petition is **disposed off** with the direction to respondent No. 3 to consider and decide the representation (P-1), as per law, by taking into consideration the decisions annexed as Annexures P-2 to P-6. Before taking any decision on the representation of petitioners, it would be appropriate that they are afforded opportunity of hearing. Moreover, consid-

ering the fact that the grievance of the petitioners relates to the year 2001;

the decision would be taken by the competent authority within a period of three months from today.

July 04, 2023
'dk kamra'

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>