

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

(122)**CWP No.12550-2023****Date of Decision: 20.07.2023**

Sukhmander Singh and another

.....Petitioners

Versus

State of Punjab through Secretary to Govt. and others..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. M. S. Kamboj, Advocate, for the petitioners.

Mr. Athar Ahmad, DAG, Punjab.

HARKESH MANUJA, J.(ORAL)

1. By way of present writ petition, prayer has been made for issuance of direction to the respondents to release the amount of compensation to the tune of Rs.1,75,31,000/- assessed on account of acquisition of their land situated in Village Fatuhi Wala, Tehsil Malout, District Sri Muktsar Sahib.

2. Briefly stating, the aforementioned land came to be acquired vide notification dated 23.02.2021 issued under Section 3A of the National Highways Act, 1956, followed by an award passed by the competent authority. It is the case of the petitioners that amount of compensation assessed in their favour has not been released merely on account of fact that some representation has been submitted by the respondents No.5 and 6 claiming some agreement to sell dated 13.01.2017 in their favour qua the acquired land.

3. The limited prayer at this juncture by the petitioners is that the claim of respondents No.5 and 6 is only for a meager sum whereas the entire amount of compensation awarded in favour of petitioners stands withheld by the official respondents. Learned counsel further submits that the petitioners shall have no objection in case the amount equivalent to the interest of respondents No.5 and 6 as claimed by them at this stage is retained by the respondent No.3 and the remaining sum is released in favour of petitioners. In this regard, he refers to representation dated 10.04.2023 (Annexure P-1), submitted before respondent No.3 which has not been dealt with so far.

4. Upon advance notice, Mr. Athar Ahmad, DAG, Punjab, submits that representation submitted by the petitioners shall be considered and decided in accordance with law upon hearing the petitioners by passing a reasoned order and the said exercise shall be concluded within a period of 2 months from today subject to furnishing of documents of title by the petitioners qua the acquired land.
5. The present writ petition is disposed of in the aforesaid terms.
6. The pending applications, if any, shall stand disposed of.

(HARKESH MANUJA)
JUDGE

20.07.2023
anil

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No