



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 7715 of 2024

Date of decision: 05.11.2024

Kulwant Singh and another

.... Petitioners

Vs.

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI  
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Raman Sharma, Advocate  
for the petitioner.

Mr. Jastej Singh, Deputy Advocate General, Punjab  
for respondents No.1 and 2.

Mr. Nitin Kaushal, Advocate  
for respondent No.3.

ARUN PALLI, J (Oral)

On April 18, 2024, this Court had passed the following order:

*“Learned counsel for the petitioners contends that land owned by the petitioners, measuring 1 kanal 5 marlas, comprised in khasra No.18853/2476 in Mohalla New Islamabad, Jalandhar, was unauthorisedly taken over by the respondent authorities. And the same has also been utilised for allotment of plots under Shaheed Udham Singh Development Scheme (84.87 Acres Development Scheme). He submits that action of the authorities, without any formal acquisition of the landholding of the petitioners and utilisation thereof, that too without payment of any compensation, is palpably erroneous, unfair and arbitrary. Further, he submits that although the respondent-Improvement Trust, Jalandhar, passed a resolution No. 440, dated 03.06.2020 (P-6), to allot a suitable site/plot to the petitioners in lieu of their land holding, but the same has also been rejected, vide communication dated 14.06.2023 (P-10). Whereas, he asserts that per the Scheme of the*



***respondent-Trust, upon acquisition of land, the landowners are not only entitled to compensation under the Punjab Town Improvement Act, 1922, but are also eligible to be allotted a suitable site/plot(s), being Locally Displaced Person(s). It is urged that a period of 35 years has gone by, but neither the petitioners have been paid any compensation, nor any site/plot has been allotted to them. Thus, the insensitivity, with which the claim of the petitioners has been dealt, is apparent on the face of the record.***

***Notice of motion.***

***Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab, is present in Court, and accepts notice. He prays for a short accommodation to seek instructions and submit response.***

***Adjourned to 02.05.2024.***

***Response be filed three days prior to the adjourned date, with an advance copy to the counsel for the petitioners, failing which, appropriate orders shall follow.***

***To be shown in the urgent list.”***

Today, Mr. Jastej Singh, learned Deputy Advocate General, Punjab, for respondents No.1 and 2, and Mr. Nitin Kaushal, Advocate, for respondent No.3, are present in Court.

Having argued the matter at some length, learned counsel for the respondents submit that, in the wake of the issue that arise for consideration, it would rather be expedient if the petition is disposed of, at this stage, to enable the competent authority (Secretary, Department of Local Government, Punjab), to revisit the matter in issue and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioners or their authorized representative, shall also be heard. And, a formal communication in this regard will be issued, well in advance.

Learned counsel for the petitioner is agreeable to the course

suggested by the learned counsel for the respondents and submits that let the



petition be disposed of in terms of the statement made by them. However, he submits, a considerable time has already elapsed, owing to an apparent inaction and delay caused by the respondent authorities. And, resultantly the rights/interests of the petitioners have been gravely impaired. Hence, the authorities be directed to consider and decide the claim of the petitioners within a specified time.

To this, learned counsel for the respondents submit that the necessary orders, in this regard, shall be passed within eight weeks from today.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time indicated by learned counsel for the respondents, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

05.11.2024  
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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |