



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

234

CWP-17535-2022

Date of Decision : **January 08, 2025**

SWARAN CHAND PANTOLA

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. N.S.Dandiwal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. Parminder Singh, Advocate for
Mr. Vivek Chauhan, Advocate
for respondent No.6.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, as cast under Articles 226/227 of the Constitution of India, prayer is made for issuance of mandamus upon the official respondents concerned to pay the compensation @ Rs.45,000/- per acre since the year 2000 to the petitioner, as the land measuring 8 kanals 17 marlas owned and possessed by the petitioner has been destroyed, as the sewage water of certain villages has been dumped in the land of the petitioner, due to which the land of the present petitioner has become un-cultivable.

2. On 17.5.2024, the following order was passed by a co-ordinate Bench of this Court:-

“Learned counsel for the petitioner refers to the report submitted by the Committee constituted on the orders of the Deputy Commissioner reporting about the dirty water being discharged in the fields/land measuring 1 acre 17 marlas owned by the petitioner due to which no crop can be sown. The said Committee recommended acquisition of the said land and till such time that the acquisition proceedings are completed, for payment of the compensation. He contends that the lease money rate in the village is around Rs.40,000/- per annum and that his client (who is present in Court) agrees that he would accept the above said prevalent lease money as sufficient compensation for the discharge of the waste water in his land.

Learned counsel for the respondents pray for some time to seek instructions.

On request, adjourned to 22.08.2024.”

3. The learned State counsel on instructions imparted to him by Mr.Surjeet Kumar, Panchayat Secretary, Gram Panchayat, Noorpur Kalan, Block Noorpur Bedi, District Ropar informs this Court that during the pendency of the instant petition, the petitioner has sworn an affidavit to the authority concerned that in case the Gram Panchayat concerned, purchases his land @ Rs.40 lacs per acre, his grievance would be redressed. He further submits that in pursuance of the affidavit, the Gram Panchayat concerned has passed the resolution and the same was sent to the District Development Panchayat Officer concerned, through the Block Development Panchayat Officer concerned and now the matter is pending for final approval of the higher authorities. He also submits that considering the fact that the instant matter relates to the earnings of the present petitioner, it is expected that an early decision will be taken in this regard.

4. In view of the above, this Court deems it fit and appropriate to **dispose** of the instant petition with a mandamus upon respondents No.1 to 4 to take final decision on the resolution passed by the Gram Panchayat-respondent No.6 within 3 months from today. In case the decision is not taken within 3 months from today, the petitioner will be at liberty to file an application for revival of the instant petition.

5. It goes without saying that in case this Court is burdened with revival application, the same shall be considered with heavy costs to be imposed upon the competent authority concerned.

January 08, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No