



CWP No.24802 of 2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP No.24802 of 2023 (O&M)

Date of Decision:19.11.2025

DALWARA SINGH AND ORS

.....Petitioners

Vs

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*Present: Mr. Rajbir Singh Advocate
for the petitioners.

Mr. Kanav Singla, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

[1]. Originally the present writ petition was filed before this Court with the following prayer:-

“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of Mandamus directing the respondent no.2 to release Award amount of compensation to the petitioners regarding their land measuring 09 Bigha 02 Biswa, which was acquired by the Respondents vide Award No. 581 dated 16.02.2023 (P-2), as despite taking the possession of the acquired land of petitioners and number of requests and reminders made by the petitioners, the respondent no.2 failed to disburse the compensation to the petitioners.

Further issuance of write in the nature of Mandamus directing Respondent No. 2 to decide the legal notice dated 04.10.2023 (P-8) served by the petitioners through counsel, wherein the petitioners requested Respondent No. 2 to release the Award amount of compensation pertaining to acquired land 09 Bigha 02 Biswa, till date neither the payment of the Award amount disbursed to the petitioners nor any reason regarding withholding the same has been communicated to the petitioners nor the Respondent No. 2 decided the legal notice legal notice.



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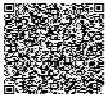
It is further prayed that the Respondent No. 2 may kindly be directed to release the payment of Award amount compensation to the petitioners along with interest.

Any other order or direction which this Hon'ble Court may deem fit and proper may kindly be passed in favour of the Petitioners keeping in view the facts of the present case."

[2]. It has been pointed out by learned counsel for the petitioners that during the pendency of the present Writ Petition, the petitioners have received the principal amount of compensation payable in terms of the Award dated 16.02.2023 passed by respondent No.2, in three installments dated 08.11.2023, 17.11.2023 and August, 2024. Learned counsel, however submits that since possession of the land in question was taken over from the petitioners on the date of passing of the Award i.e. on 16.02.2023, the petitioners were entitled to receive the amount of compensation payable to them on the same day. He, thus submits that there being delay in disbursal of the amount of compensation, the petitioners are entitled for interest thereupon in terms of Section 80 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the 2013 Act').

[3]. On the other hand, learned State counsel has not been able to controvert the aforesaid factual aspect of the matter with regard to the disbursal of compensation on three different dates, however, it has been submitted that the delay occurred on account of some dispute between the co-sharers which delayed disbursal of the amount of compensation.

[4]. I have heard learned counsel for the parties and gone through the paper book.



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[5]. As a matter of record, the Award in the present case was passed on 16.02.2023 followed by disbursal of the principal amount of compensation in favour of the petitioners on 08.11.2023, 17.11.2023 and August, 2024, however the respondents have not been able to place on record any objection preferred at the instance of any of the landowners raising dispute with respect to the apportionment of compensation. In such circumstances, once the possession of the acquired land was taken over from the petitioners on 16.02.2023, they were entitled for disbursal of amount of compensation on the same day, however there being delay in disbursal towards principal amount , the petitioners are entitled to award of statutory interest in terms of Section 80 of the 2013 Act. As such, the present writ petition is allowed to the aforementioned extent. The necessary calculations be made by respondent No.2 within 02 weeks from today and the amount payable to the petitioners be released within 04 weeks thereafter.

[6]. Pending application(s), if any shall also stand disposed of.

November 19, 2025
Atik

(HARKESH MANUJA)
JUDGE

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