
(2000) 12 P&H CK 0010
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 13414 of 2000

Harduman Singh Gill

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision : 20-12-2000

Acts Referred:

Land Acquisition Act, 1894 — Section 18

Citation : (2001) 4 RCR(Civil) 32

Hon'ble Judges : Mehtab Singh Gill, J;Jawahar Lal Gupta, J

Bench : Division Bench

Advocate : Mr. R.S. Mann, for the Appellant; Mr. M.C. Berry, D.A.G., for the Respondent

Judgement

Jawahar Lal Gupta, J.—The petitioner's land was acquired in the year 1993. On December 13, 1993, he made a petition for a reference

u/s 18 of the Land Acquisition Act, 1894. For almost seven years, no reference was made. When even the written request did not yield any fruit,

the petitioner filed the present writ petition. He prays that a writ of mandamus be issued directing the respondents to make the reference.

2. On December 12, 2000, we have directed respondent No. 2-the Land Acquisition Collector-cum-District Revenue Officer to appear in Court

and explain as to why directions for initiation of proceedings against him be not given. A reply by way of an affidavit has been filed. It has been

stated that vide letter dated November 28, 2000, the reference has been made to the Court of District Judge, Ropar. No explanation whatsoever

for failure to make the reference for almost 7 years has been given.

3. Mr. Sohan Lal, the Officer is present in Court. He expresses his regrets.

4. Nothing has been pointed out on behalf of respondent No. 2 which may

indicate even slightly as to why the reference was not made for such a long time. It is on account of the inaction of respondent No. 2 that the petitioner as well as the State would suffer. Delay would result in accumulation of interest which will have to be paid by the State. It also prejudices the interest of the land owner who has to run from pillar to post. Keeping in view the fact that no explanation whatsoever has been offered by the Officer, we think it appropriate to direct that he would compensate the petitioner personally by paying Rs. 25,000/- by way of compensatory costs. This amount shall not be reimbursed to the officer by the State Government. The payment shall be made within one month from today.

5. Since the reference has been made, the writ petition has been rendered infructuous and is, accordingly, disposed of.

6. Petition disposed of