
(1985) 01 P&H CK 0058
In the Punjab And Haryana At Chandigarh
Case No : Civil Revision No. 1209 of 1977

Suraj Mal

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 31-01-1985

Acts Referred:

Citation : (1985) ILR (P&H) 264 : (1985) PLJ 212 : (1986) RRR 533

Hon'ble Judges : J.V.Gupta, J

Advocate : Sudershan Goel, Advocate., Advocates for appearing Parties

Judgement

J.V. Gupta, J.

1. This order will dispose of Civil Revisions Nos. 1209, 1208 and 1701 of 1977, as the question involved is common in these cases.
2. These petitions have been filed against the order of the Land Acquisition Collector, whereby the application for reference under Section 18 of the Land Acquisition Act filed on behalf of the petitioners had been declined by the Collector on the ground that the amount of compensation was received by them without protest.
3. The learned counsel for the petitioners contended that no notice was given to the petitioners before deciding their applications by the Land Acquisition Collector. In any case, argued the learned counsel, the Collector was bound to refer the matter to the District Judge concerned, and this question as to whether the reference was competent or not could also be decided by the District Judge on reference.
4. After hearing the learned counsel for the parties, I find force in the contention raised on behalf of the petitioners. Nothing has been brought on record to show that on what basis it was found that the amount of compensation was received by the claimants without protest. In any case, before deciding their applications, they were entitled to a notice to be issued by the Collector. Admittedly, no such

notice was issued to the petitioners.

5. In this view of the matter, all the petitions succeed with costs, and the orders, declining the references are set aside. The Land Acquisition Collector is directed to make the references, to the District Judge concerned within one month from today. The question of competency of the references, if any, will also be open to be decided by the District Judge concerned.