

REVISED

ITEM NO.2

COURT NO.7

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 19234/2015
(Arising out of impugned final judgment and order dated 05/01/2015
in CWP No. 3765/2002 passed by the High Court of Punjab & Haryana
at Chandigarh)

M/S. KASTURI LAL GIRDHARI LAL AND ORS.

Petitioner(s)

VERSUS

STATE OF PUNJAB AND ORS.
(office report for direction)

Respondent(s)

WITH

SLP(C) No.30091/2015
(With Office Report)

SLP(C) No.11086/2016
(With appln.(s) for substitution of deceased petitioner and Office
Report)

SLP (C) No.23096/2016
(With Office Report)

SLP (C) No.5408-5409/2017
(With appln.(s) for exemption from filing c/c of the impugned
judgment and Office Report)

Date : 28/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Dushyant Parashar, Adv.
Mr. Surya Kant, Adv.

Mr. Sudhir Kumar Gupta, Adv.
Mr. Surya Kant, Adv.
Mr. Abhinav Gupta, Adv.

Mr. Anurag Pandey, Adv.

Mr. Brij Bhusan, Adv.
Ms. Vandita, Adv.

For Respondent(s)

Mr. Suresh C. Gupta, Adv.
Mr. Birendra Kumar Mishra, Adv.
Ms. Poonam Atey, Adv.

Mr. Sanchar Anand, AAG
Mr. Apoorv Singhal, Adv.
Mr. Anant K. Vatsya, Adv.

Mr. Shekhar Kumar, Adv.

Mr. Devendra Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

It is seen from the record that the petitioners herein had demanded that they should be rehabilitated, being victims as a result of Blue Star Operation. A scheme was formulated for this purpose and the respondent government agreed to help them. Offer to allot the land was given to the petitioners herein in this behalf. We may notice that the petitioners had filed writ petitions before the aforesaid decision was taken by the respondents. During the pendency of those writ petitions, the respondents had informed the court that the respondents were agreeable to allot the land to the petitioners herein. On the basis of the statement, the High Court disposed of the writ petitions.

Now a dispute has arisen on the rates at which the land is sought to be allotted. The respondents have decided to change the

rate of Rs.38,400/- per square yard which is challenged by the petitioners. This is an issue which was never specifically raised before the High Court.

In these circumstances, we are of the view that it would be more appropriate if the High Court also decides as to at what rate the land should be allotted. We, therefore, refer these cases back to the High Court to decide the aforesaid issue. Since the matters are lingering on for quite some time, we request the High Court to decide these cases within six months.

With the aforesaid observation, these special leave petitions stand disposed of. Pending applications, if any, also stand disposed of accordingly.

An interim order was passed directing the petitioners to deposit the amount at the rate of Rs.10,000/- per square yard before the Registry of this Court. The Registry is, therefore, directed to remit the aforesaid amount to the High Court of Punjab & Haryana at Chandigarh along with the amount of interest which has accrued thereon.

(Ashok Raj Singh)
Court Master

(Mala Kumari Sharma)
Court Master