

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

COC-443-2015

Date of decision : 05.10.2015

Sushila Khatri

..... Petitioner

Vs

P. Raghvendra Rao, Financial Commissioner & Principal
Secretary to Govt. Haryana & others

..... Respondents

Coram : Hon'ble Mr. Justice Rakesh Kumar Jain

Present : Mr. S.P. Khatri, Advocate
for the petitioner.

Mr. Deepak Manchanda, Addl. A.G., Haryana.

Rakesh Kumar Jain, J. (oral)

The petitioner has approached this Court for alleged disobedience of the order dated 26.5.2014 (Annexure P-1) wherein direction was issued to the authorities to redetermine the petitioner's compensation/benefits under the right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the '2013 Act') within a period of six months.

Counsel for the respondents has submitted that in an identical matter bearing **CWP No. 8052 of 2009** titled **Mukesh & Ors. Vs. State of Haryana & others**, on an application (CM No. 5566 of 2015) filed therein, the Division Bench has ordered that if it is not found viable by the State authorities to pay compensation to the petitioners under the Act, it can release the land to the extent it has not been utilised for any public purpose.

Counsel for the respondents has submitted that the Director General, Urban Estates, Haryana has informed the office of the Advocate General, Haryana that they are ready to release alternative land instead of making the payment of compensation.

Counsel for the petitioner has submitted that he is ready and willing for taking the land back but it should not be formally released and possession be also delivered. In this regard, counsel for the respondent has submitted that the petitioner may apply for alternative piece of land which shall be allotted to him at a better location after examining the application.

In view of the aforesaid, the present petition has become infructuous because counsel for the petitioner has agreed to file an application to the Director General, Urban Estates, Haryana. If such an application is filed within 15 days from today it shall be decided by passing a speaking order and petitioner shall be allotted and handed over the possession of the land at better location within a period of one month.

Disposed of.

(RAKESH KUMAR JAIN)

JUDGE

05.10.2015

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