

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

LPA No.885 of 1993 (O&M)

Date of Decision:-04.09.2015

Rulda Ram and others

.....Appellants

Versus

The State of Haryana

.....Respondent

**CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN**

**Present:- Mr. R.S. Tacoria, Advocate
and Mr. Rajesh Goyal, Advocate,
for the appellants.**

Mrs. Shruti Jain Goyal, A.A.G., Haryana.

SATISH KUMAR MITTAL, J.(Oral)

The appellants have filed this appeal under Clause X of the Letters Patent against the order dated 14.9.1993 passed by the learned Single Judge, whereby the writ petition (CWP No.3943 of 1986) filed by the appellants challenging the notifications dated 11.03.1981 (Annexure P-1) and 14.12.1983 (Annexure P-2) issued under Sections 4 and 6 of the Land Acquisition Act, 1894, respectively, on the ground that since the Award was not pronounced within two years from the date of commencement of the Act No.68 of 1984, therefore, the impugned notifications have elapsed, has been dismissed while holding that the acquisition proceedings in this case had not elapsed because the Award was pronounced on 12.9.1986 i.e. within two years from the date of commencement of the Act No.68 of 1984.

During the pendency of this appeal, The Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the RFCT Act') came into force. Now the appellants have moved an application under Section 24 (2) of the RFCT Act with a prayer that in view of the fact that neither the possession was taken nor the compensation was paid, the said acquisition has lapsed.

In view of this, learned counsel for the appellants states that the appellants may be permitted to withdraw this appeal with liberty to make a representation under Section 24(2) of the RFCT Act to the appropriate Government to take a decision on the same in accordance with the directions given by this Court in Sunita Sahrawat and others vs. State of Haryana and others, (CWP No.6652 of 2014, decided on 29.05.2015).

In view of this, learned counsel for the respondent-State has no objection in this regard.

In view of the aforesaid, the appellants are permitted to withdraw this appeal with liberty to make a representation under Section 24 (2) of the RFCT Act to the appropriate Government in light of the decision rendered by the Division Bench of this Court in Sunita Sahrawat's case (supra) and we direct the respondents to take a decision on the said representation in light of the decision rendered in Sunita Sahrawat's case (supra).

Till the decision on the representation, the status-quo shall be maintained.

(SATISH KUMAR MITTAL)
JUDGE

September 4, 2015
vkg

(MAHAVIR S. CHAUHAN)
JUDGE