

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

(1) CWP No. 1533 of 2009

Fateh Singh and others

.... PETITIONERS

Versus

State of Haryana and others

.... RESPONDENTS

(2) CWP No. 18645 of 2014

Dayanand

.... PETITIONER

Versus

State of Haryana and others

.... RESPONDENTS

(3) CWP No. 19357 of 2014

Variam Singh and others

.... PETITIONERS

Versus

State of Haryana and others

.... RESPONDENTS

DATE OF DECISION : 10.12.2015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present : Mr. Arun Jain, Senior Advocate, with
Mr. Sunil Sharma, Advocate,
for the petitioners
(in CWP Nos. 1533 of 2009 and 19357 of 2014)

Mr. Ajit Malik, Advocate,
for the petitioner (in CWP No. 18645 of 2014)

Mr. Lokesh Sinhal, Addl. A.G., Haryana.

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SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of CWP Nos. 1533 of 2009, 18645 and 19357 of 2014 filed by the petitioners seeking quashing of the Notifications dated 19.10.2001 and 18.10.2002 issued under Sections 4 and 6, respectively, of the Land Acquisition Act, 1894, vide which the land was acquired for development of Sector 2, Sonepat as well as the Award dated 14.10.2004.

On May 26, 2014, in CWP No. 1533 of 2009 and in another connected case (CWP No. 13192 of 2007), learned State counsel had made a statement to the effect that as per his instructions compensation paid to the land owners was 37% and 45% only, and hence proviso to Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the Act of 2013') would be applicable. It was further stated that the State Government is willing to pay compensation to the petitioners in accordance with the Act of 2013. On the basis of this statement, learned counsel for the petitioners were granted time to have the instructions in the matter. On July 16, 2015, learned counsel for the petitioners, after having instructions from the petitioners, stated that the petitioners are ready to accept the offer made by the State Government. Thereupon, on request of the State counsel, the cases were adjourned to have instructions in the matter.

Today, learned State counsel has filed affidavit dated 09.12.2015 duly sworn by the Land Acquisition Collector, Urban Estate,

Rohtak, on behalf of respondent No.3. In paragraph 4 of the affidavit, it has been stated that in view of the provision of Section 24 (2) of the Act of 2013, the Government has taken a decision to pay compensation to the beneficiaries in accordance with the provisions of the Act of 2013. It has been further stated in the said affidavit that keeping in view the said decision and provision of Section 24 (2) of the Act of 2013, the revised award has been pronounced on 28.10.2015, awarding compensation at the rate of ₹ 73,86,771/- per acre, including all benefits as per the Act of 2013. Though copy of the award has not been annexed with the affidavit, but learned State counsel submits that copy of the award will be sent to the petitioners forthwith.

In view of the aforesaid affidavit and the revised award pronounced under the provisions of the Act of 2013, at present, all these petitions have become infructuous.

Consequently, all these petitions are dismissed as having become infructuous.

However, if any of the petitioner/petitioners is/are not satisfied with quantum of the compensation awarded under the revised award, it will be open for him/her to avail the remedy in accordance with law.

(SATISH KUMAR MITTAL)
JUDGE

December 10, 2015
ndj

(SHEKHER DHAWAN)
JUDGE