

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 14756 of 2015

Date of Decision: 23.7.2015

Surinder Wangnoo and others

....Petitioners.

Versus

The State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Mr. Shailendra Jain, Senior Advocate with
Mr. Bhagender Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. This order shall dispose of two petitions bearing CWP Nos. 14756 and 14759 of 2015 as according to the learned counsel for the petitioners, identical facts and questions are involved therein. For brevity, the facts are being extracted from CWP No. 14756 of 2015.

2. By way of instant petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of mandamus directing the respondents to allot alternative plots to them in lieu of their plots situated within the revenue estate of villages Choma and Gurgaon, Tehsil and District Gurgaon falling in the alignment of the Northern Peripheral Road (NPR) as per Final Terms of Settlement dated 18.5.2015 (Annexure P-5) arrived at between the State

of Haryana and other similarly situated petitioners/landowners in other similar cases arising out of the instant acquisition process.

3. The petitioners are owners in possession of the land, situated within the revenue estate of villages Choma and Gurgaon, Tehsil and District Gurgaon. Government of Haryana vide notification dated 25.1.2008 (Annexure P-2) issued under Section 4 of the Land Acquisition Act, 1894 (in short "the Act") followed by notification dated 18.3.2008 (Annexure P-3) under Section 6 of the Act acquired the land of various villages including the land of the petitioners for the development and utilization of land for 150 meters wide periphery road linking Dwarka Township Delhi from Haryana Boundary to National Highway No.8, near village Kherki Daula at Gurgaon. The award was passed on 23.12.2009. Some of the landowners filed writ petitions in this Court, wherein a statement was made on 25.5.2010 by Shri Gopal Subramanyam, the then Solicitor General of India that all the petitioners therein shall be rehabilitated to suitable alternative places. Accordingly, this Court granted time to the parties to resolve the issue and arrive at the settlement. In pursuance thereto, a settlement was arrived at with other persons in some of the other writ petitions and the said writ petitions were disposed of by this Court vide order dated 29.5.2010 (Annexure P-4). However, no settlement could be arrived at in some of the writ petitions and this Court vide order dated 17.12.2010 adjourned the said writ petitions *sine die* with liberty to the State to move an application if any policy worth acting upon is framed by it. In CWP No. 8060 of 2008 and other similar matters, this Court directed the petitioners therein and the official respondents to sit together and to

arrive at a amicable settlement. In pursuance thereto, the petitioners therein had various meetings with the officials respondents and had arrived at an amicable settlement vide Final Terms of Settlement dated 18.5.2015 (Annexure P-5). Accordingly, CWP No. 8060 of 2008 and other connected petitions were disposed of by this Court vide order dated 20.5.2015 (Annexure P-6). Another bunch of similar cases bearing CWP Nos. 792, 3326, 4795, 5814 and 5824 of 2013 arising out of the same notifications was disposed of by this Court vide order dated 18.7.2013 and the review petitions filed in the said writ petitions were also disposed of by this Court vide order dated 5.12.2014. The petitioners are also entitled to the similar relief as granted by this Court to other similarly situated persons. Accordingly, the petitioners moved their claim applications for the allotment of alternative plots being similarly situated to other landowners who have been offered alternative plots as well as other benefits in lieu of their acquired land/plots, but no response has been received till date. Hence, the present writ petition.

4. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved various claim applications to the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petitions by directing respondent No.3 or any other officer authorized by him to take a decision on the claim applications or other similar representations filed by the petitioners, in accordance with law by passing a speaking order and after affording

an opportunity of hearing to the petitioners within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

July 23, 2015
gbs

(REKHA MITTAL)
JUDGE

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 14759 of 2015

Date of Decision: 23.7.2015

Prabhjot Singh and others

....Petitioners.

Versus

The State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE REKHA MITTAL.**

PRESENT: Mr. Shailendra Jain, Senior Advocate with
Mr. Bhagender Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

For orders, see **CWP No. 14756 of 2015 (Surinder
Wangnoo and others v. The State of Haryana and others).**

**(AJAY KUMAR MITTAL)
JUDGE**

July 23, 2015
gbs

**(REKHA MITTAL)
JUDGE**