

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

**CWP No. 2166 of 2015
Decided on : 30.06.2015**

Inderjeet

. . . Petitioner

Versus

The State of Haryana and others

. . . Respondents

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

PRESENT: Mr. H.S. Baidwan, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana.

Mr. R.S. Longia, Advocate respondent No.4 - HUDA.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner through the present writ petition filed under Articles 226/227 of the Constitution of India, *inter alia* is seeking quashing of impugned notifications dated 15.12.2006 and 14.12.2007 respectively, issued under Sections 4 & 6 of the Land Acquisition Act, 1894 (for brevity 'the Act of 1894') and award dated 09.12.2009 and all ensuing proceedings taken in pursuance thereof. A further prayer for direction to release the land of the petitioner in view of the provisions of Section 24(2) and Section 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act of 2013') has also been made, as the proceedings of acquisition initiated under the Act of 1894 in view of the law laid down by the Apex Court in various judgments.

2. It was not disputed that the award was announced on 09.12.2009 i.e. within five years of the commencement of the Act of 2013,

and therefore, the benefit of Section 24(2) of the Act of 2013 could not be availed by the petitioner. On the other hand, the claim under Section 101 of the Act of 2013 also can not be accepted, as the land was not acquired under the Act of 2013.

3. Faced with this situation, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to file a representation before the appropriate authority, who may decide the same expeditiously.

4. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

June 30, 2015
J.Ram