

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

CWP No. 262 of 2013 (O&M)

DATE OF DECISION : 27.07.2015

Ravinder Kumar Zutshi

.... PETITIONER

Versus

State of Haryana and others

.... RESPONDENTS

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

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Vinod S. Bhardwaj, Advocate,
for the petitioner.

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

Mr. Deepak Manchanda, Advocate,
for respondent No.3.

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SATISH KUMAR MITTAL, J. (Oral)

The petitioner has filed this petition under Articles 226/227 of the Constitution of India seeking quashing of the Notifications dated 20.06.2005 (Annexure P-6) and 19.06.2006 (Annexure P-12) issued under Sections 4 and 6 of the Land Acquisition Act, 1894, respectively, as well as Award No. 46 announced on 22.02.2007 (Annexure P-13), on various grounds.

During the pendency of this petition, the petitioner moved an application (CM No. 4583-CWP of 2014) stating therein that in view of 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'), the aforesaid acquisition has lapsed, because neither the possession of the acquired land was taken from the petitioner nor the compensation was paid to him. The State has filed reply to this application.

Now, a Division Bench of this Court in ***Sunita Sahrawat and others versus State of Haryana and others (CWP No.6652 of 2014, decided on 29.05.2015)*** has decided that where any such application has been filed for declaring the acquisition to have lapsed on account of the aforesaid two reasons, such matter should be referred to the High Level Panel/Zonal Committee constituted for each of the five zones in the State of Haryana.

Learned counsel for the petitioner states that in view of the aforesaid judgment, this application be also sent to the appropriate Zonal Committee for consideration and decision in accordance with law. Learned State counsel states that the respondent-State has no objection to the same. Thus, it is ordered that the application (CM No. 4583-CWP of 2014) moved by the petitioner will be considered by the appropriate Zonal Committee in accordance with the judgment in ***Sunita Sahrawat's case (supra)***.

Petition is, accordingly, disposed of.

(SATISH KUMAR MITTAL)
JUDGE

July 27, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE