

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

CWP No.6564 of 2015 (O&M)

Date of Decision: 08.04.2015

Suresh Kumar

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. Vikram Singh, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) Notice of motion. Mr. Ravi Dutt Sharma, learned DAG Haryana accepts notice on behalf of respondents. In view of the nature of proposed order, there is no necessity to call upon the respondents to file reply/affidavit at this stage.

(2) The petitioner is aggrieved by the action of the respondents in acquiring his land vide notifications dated 02.03.1993 and 01.03.1994 issued under Sections 4&6 of the Land Acquisition Act, 1894 (in short, 'the Act'), respectively. Relying upon the photographs (Annexure P3) to show his physical possession on the land over which there exists a factory building, the petitioner seeks a mandamus directing the respondents to release the acquired land in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(3) In this regard, the petitioner is said to have moved a representation dated 08.11.2014 (Annexure P4) but it appears that the respondents have not taken any action thereupon.

(4) Learned counsel for the petitioner states that he would be satisfied if liberty is granted to the petitioner to make a detailed and comprehensive representation and upon his doing so, the respondents may be directed to decide the same expeditiously.

(5) Having heard learned counsel for the petitioner and considering the nature of relief sought, however, without expressing any views on merit, we dispose of this writ petition at this stage, with liberty to the petitioner to make a detailed and comprehensive representation before an appropriate authority taking all those pleas as are taken in this writ petition within one month. In the event of such representation, the respondents are directed to decide the same by passing a speaking order within a period of four months from the date of receipt of such representation. The petitioner may lead any evidence to substantiate his claim before the concerned Authority. Till the matter is decided, parties are directed to maintain *status quo*.

(6) Ordered accordingly. **Dasti**.

(Surya Kant)
Judge

08.04.2015
vishal shonkar

(P.B. Bajanthri)
Judge