

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.6830 of 2015

Date of decision: December 21, 2015.

VIJAY

... **Petitioner**

v.

State of Haryana and others

... **Respondents**

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. Whether to be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

CORAM: **HON'BLE MR. JUSTICE HEMANT GUPTA**
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Shri Sandeep Sharma, Advocate, for the petitioners.

Shri Vivek Saini, Deputy AG, Haryana
for respondents No.1 & 2.

Shri Amar Vivek, Advocate for respondent No.3 – HUDA.

Hemant Gupta, J. (oral)

The challenge in the present writ petition is to the notifications dated 21.12.2009 and 17.12.2010 published under Sections 4 and 6 of the Land Acquisition Act, 1894 (in short the Act). In pursuance to such notifications, Award dated 20.6.2012 was announced. The petitioner has challenged the acquisition of his land on the ground that such land has constructed residential areas even prior to publication of notification under Section 4 of the Act, therefore, in terms of the policy of the State Government, such constructed portion is liable to be exempted from

acquisition.

Shri Amar Vivek, learned counsel appearing for respondent-HUDA, states that the Government is ready and willing to consider the claim of the petitioner for land-pooling, as per the scheme notified, provided the land owner shows his willingness in respect thereof on or before 31st January, 2016.

Learned Counsel for the petitioner accepts the said proposal.

In view of the above, the writ petition is disposed of with liberty to the petitioner to opt for land-pooling scheme and thereafter to consider such option in accordance with law.

[Hemant Gupta]
Judge

[Raj Rahul Garg]
Judge

December 21, 2015.
kadyan