

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

**CWP No. 8 of 2015
Decided on : 09.07.2015**

Fateh Singh

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

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

PRESENT: Mr. S.K. Panwar, Advocate and
Mr. Mohan Singh Rana, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

Mr. Anshul Jain, Advocate for
Mr. Amar Vivek, Advocate
for respondents No. 4 & 5.

AJAY KUMAR MITTAL, J. (Oral)

The challenge in this writ petition filed under Articles 226/227 of the Constitution of India, is to the notification dated 03.07.1995 (Annexure P-3) issued under Section 4 of the Land Acquisition Act, 1894 (for brevity 'the Act'), which was followed by notification dated 02.07.1996 (Annexure P-4) issued under Section 6 of the Act. The exemption of the land measuring 17 Kanal 10 Marla comprised of Khewat-Khatoni No.264/289, Rect. No. 37, Killa Nos.11/1 (5-7), Rect. No. 38, Killa No.15/2 (4-7), 16 (7-14), 25/1 (0-2), situated at village Ajronda, Tehsil and District Faridabad, has also been sought by way of the instant writ petition.

2. In response to the notice of motion, short reply by way of affidavit of Mr. Rajender Kumar Gahlot, Land Acquisition Collector, Urban Estates, Faridabad, on behalf of respondent No.4 has been filed, wherein, it

has been specifically stated that the land/khasra number as claimed by the petitioner in the instant writ petition has not been acquired. The operative part of the said short reply is thus:-

“3. That as a matter of fact the land/khasra number claimed by the petitioner in the instant writ petition has not been acquired by the office of answering respondent which is clear from the Annexure P-3 & P-4 itself. However, it is submitted that the land comprised in Khasra No. 1057(4B-13B), 1068 (2B-6B), 1092 (2B-15B), 1138 (1B-1B) situated within the revenue estate of Village Ajronda has been acquired in pursuance of notifications dated 3.7.1995 & 2.7.1996 issued under section 4 & 6 of the Act of 1894 respectively, for public purpose namely for the development of Sector-20A & 20B, Faridabad. The award of above acquired land was announced vide award no.13 dated 29.6.1998 and the possession of the same was handed over to the beneficiary department i.e. HUDA vide Rapat No. 568 dated 29.6.1998 through Sh. Bhagat Singh, Patwari office of the Estate Officer, HUDA, Faridabad. As per acquisition record maintained by the office of answering deponent the father of the petitioner namely Chander Singh was co-owner to the extent of 1/12 share and he has received the entire amount of compensation of the said acquired land vide cheque no.823376 dated 4.9.98 amounting Rs.4,90,178/-. It is

further submitted that the petitioner is not recorded as owner of above mentioned acquired land.

4. *That in view of submissions made above, the present writ petition has filed by the petitioner has become infructuous and same is liable to be dismissed.”*

3. In view of the above, the present writ petition is disposed of as infructuous.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

July 09, 2015
J.Ram