

Sr. No.210

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

COCN No. 1569 of 2015

Date of decision:26.09.2016

Jiwan and others

.....Petitioners

versus

P.Raghvendra Rao and another

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. S.P.Khatri, Advocate
for the petitioners.

Mr. P.P.Chahar, DAG, Haryana.

Rakesh Kumar Jain, J.(Oral)

This petition is filed for the alleged disobedience of the order dated 26.05.2014(Annexure P-1) by which a bunch of writ petitions were disposed of including the writ petition filed by the present petitioners and direction was issued to the State Government to pay compensation to the petitioners, to be assessed as on the date on which the Act, namely, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(for short, the 2013 Act') came into force.

In reply, it is submitted that the order dated 26.05.2014 was reviewed on 3.07.2015 in which it was observed by this Court that *if the authorities do not find it viable to pay compensation to the petitioners under the 2013 Act, they shall be at liberty to release the land to the extent it has not been utilised for any public purpose.*

Counsel for the respondents, while referring to para 9 of the reply has submitted that the Government has decided to release the land in favour of the petitioners as they are not willing to accept compensation

offered by the State by way of additional award dated 05.06.2015.

Counsel for the petitioners has further submits that so far he has no intimation of the release of land.

Be that as it may, the present petition is hereby disposed of with a further direction to the respondents to pass the order of releasing the land of the petitioners if it is not required and hand over the possession back to them after preparing a Roz Namcha. The entire exercise shall be done within a period of one month.

26th September, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No