

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

**CWP No. 11589 of 2015
Decided on : 26.04.2016**

Subhash and another

... Petitioners

Versus

State of Haryana and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

PRESENT: Mr. Pankaj Middha, Advocate
for the petitioners.

Ms. Palika Monga, Addl. AG, Haryana.

AJAY KUMAR MITTAL, J. (Oral)

The prayer made by the petitioners in this writ petition filed under Articles 226/227 of the Constitution of India is for quashing the notification dated 21.05.2010 (Annexure P-2) issued under Section 4 of the Land Acquisition Act, 1894 (for brevity 'the Act'), followed by notification dated 20.05.2011 (Annexure P-4) issued under Section 6 of the Act. A further prayer has also been made for release of land measuring 8 Marla and 15 Marla falling in Rect. Nos.35/6/6 and 35/6/10, Khewat No.842 min, Khata Nos. 1236 and 1240, respectively.

2. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, a legal notice dated 10th March, 2014 (Annexure P-8) was submitted to the respondents, but no decision thereon has been taken by them so far. He, however, prayed that direction be issued to the concerned respondent to decide the legal notice expeditiously in a time bound manner and since the petitioners are in possession of the property in dispute, therefore, till the decision of the legal notice *status quo* regarding possession may be

maintained.

3. After hearing learned counsel for the parties, without expressing any opinion on the merits of the case, while disposing of the writ petition we direct respondent No.1 to decide the legal notice 10th March, 2014 (Annexure P-8), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of three months from the date of receipt of certified copy of the order. It is, however, clarified that till the legal notice is decided by respondent No.1, *status quo* shall be maintained by the parties.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

April 26, 2016

J.Ram