

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12933 of 2015 (O&M)

Date of Decision: 29.04.2016

Bank Employees' Coop. Group Housing Society Ltd. ... Petitioner

VS.

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SNEH PRASHAR

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Present: Mr. Sanjiv Gupta, Advocate for the petitioner

Ms. Kirti Singh, DAG Haryana

SURYA KANT, J. (Oral)

(1) The petitioner is a Group Housing Society formulated by the Bank employees. It seeks quashing of the notification dated 30.03.1990 & 27.03.1991 issued under Section 4&6 of the Land Acquisition Act, 1894, as according to it, the acquisition proceedings have lapsed in view of the mandate contained in Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (in short, 'the new Act').

(2) While the matter was adjourned to await the decision of Supreme Court on the question of applicability of Section 24(2) of the new Act, learned counsel for the petitioner-Society submits that as of now he does not want to press that relief and would be satisfied if the writ petition is disposed of with a direction to the State Government to consider the petitioner's claim for the release of the land in accordance

with the Government policy. Learned counsel for the respondents has no objection to the afore-mentioned prayer.

(3) In this view of the matter, we dispose of the writ petition without expressing any views on merit with a direction to the State Government to call for the records; hear the petitioner in representative capacity and take appropriate decision in accordance with law and the State Government policy, as early as possible and preferably within *four months* from the date of receipt of certified copy of this order. Till such decision is taken, both the parties shall maintain *status quo*.

(4) Ordered accordingly.

(Surya Kant)
Judge

29.04.2016
vishal shonkar

(Sneh Prashar)
Judge