

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.17734 of 2016.

Date of Decision: August 30, 2016

Hari Chand

.....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Sudhir Aggarwal, Advocate, for the petitioner.

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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?

Surya Kant, J. (Oral)

The petitioner seeks a writ of mandamus to direct the Land Acquisition Collector, Bhiwani-respondent No.2 to refer the reference filed by him under Section 18 of the Land Acquisition Act, 1894 (since repealed) (for short, 'the Act'), for adjudication to the Court of competent jurisdiction. It is averred that the Land Acquisition Collector passed the Award on 03.05.2006 and the petitioner being dissatisfied had filed a reference under Section 18 of the Act which was received in the office of the Land Acquisition Collector-respondent No.2 on 09.06.2016. It is further averred that while similar references have been recently decided by the learned Additional District Judge, Gurgaon but the petitioner's reference was not forwarded for such adjudication.

As may be seen from the averments, the petitioner has raised a

factual issue, the correctness of which can be ascertained from the record by

the Land Acquisition Collector. We thus dispose of this writ petition without expressing any views on merits of petitioner's claim, with a direction to respondent No.2 to verify as to whether or not the petitioner has filed any reference and if it is found pending, let the same be forwarded to the court of competent jurisdiction within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

August 30, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No