

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.20480 of 2015
Date of Decision: 28.11.2016

Naresh Kumar

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

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

- | | |
|--|-----------------|
| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |
| 3. Whether Reporters of local papers may be allowed to see the judgment? | Yes / No |
| 4. To be referred to the Reporters or not? | Yes / No |
| 5. Whether the judgment should be reported in the Digest? | Yes / No |

Present: Mr. Vikram Singh, Advocate for the petitioner

Mr. Ravi Dutt Sharma, DAG Haryana

SURYA KANT, J. (Oral)

(1) The petitioner has laid challenge to the notifications dated 23.08.2007 and 21.08.2008 issued under Sections 4&6 of the Land Acquisition Act vide which his land measuring 454 sq.yard comprising Khasra No.75/1/3 situated in Village Safidon, District Jind has been acquired. The petitioner claims its release on the plea that his residential house is constructed at the site.

(2) The respondents in their written statement have come up with the plea that as far as the residential house is concerned, the same has already been released and for the remaining vacant area, petitioner has received the compensation. The relevant averments made to this effect are in para 4&5 of the written statement which read as under:-

“...However, it is submitted that the objections were decided in due course of law and constructed portion i.e. 0-6 marlas out of total land of the petitioner was left

out from acquisition. The petitioner has received the entire amount of compensation Rs.2359358.00 vide cheque No.425654 dated 31.08.2010 in respect of his acquired land. It is further submitted that the constructions falls in thickly populated block, have been released as per provision of the Act and policy of the Government.

5. That in reply to para No.5 of the Civil Writ Petition, it is submitted that the petitioner filed the objections under Section 5A of the Act, which were duly heard/considered as per Law and Act and constructed portion measuring 0-6 marlas out of total land of the petitioner was left out from acquisition. The detailed reply given in preceding paras is reiterated to avoid the repetition.”

(3) For the reasons afore-stated, we do not find any merit in this writ petition the same is accordingly dismissed.

(Surya Kant)
Judge

28.11.2016
vishal shonkar

(Sudip Ahluwalia)
Judge