

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19882 of 2016.

Date of Decision: September 23, 2016

Deputy Lal and otherse

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Sanjiv Gupta, Advocate, for the petitioners.

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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 land/property of the petitioners was acquired by State of Haryana for the construction of roads and other infrastructural facilities in the urban estate at Faridabad. They have challenged the acquisition and one of the plea taken is that the residential houses were constructed prior to the year 1996.

While some interlocutory orders were passed to explore the possibility of releasing the residential houses but having not succeeded therein, a Division Bench of this Court dismissed the writ petition on 15.09.2015. The aggrieved petitioners approached the Hon'ble Supreme Court but their Special Leave Petition was also dismissed though with liberty to them to avail all such remedies as may be open to them in accordance with law to avail an offer of exchange made by the State. The petitioners thereafter are said to have represented the authorities vide representation dated 23.11.2015 (P-17) for the exchange of their acquired

property. As no decision has been taken thereupon, the instant writ petition has been filed.

As of now, it would not be appropriate for this Court to express any views on merits of the petitioners' claim except to direct the respondent-authorities to consider their claim for the exchange of land (in lieu of the acquired land) as per the details given in the representation dated 23.11.2015 (P-17) and keeping in view the observations and opportunity granted by the Hon'ble Supreme Court. The Chief Administrator and Administrator, HUDA are directed to consider and take an appropriate decision on the petitioners' claim within a period of three months from the date of receiving a certified copy of this order.

[SURYA KANT]
JUDGE

September 23, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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