

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20354 of 2016.

Date of Decision: September 29, 2016

Ram Pal and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Chirag Wadhwa, Advocate, for the petitioners.

Ms.Palika Monga, Deputy Advocate General, Haryana.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 & 3 only at this stage.

On our asking, Ms.Palika Monga, learned Deputy Advocate General, Haryana, accepts notice on their behalf.

Let two copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1 & 3 or to serve respondent No.2 at this stage.

The grievance of the petitioners is that their land measuring 17 kanal 1 marla described in para No.2 of the writ petition was acquired under Sections 4 & 6 of the Land Acquisition Act, 1894 (since repealed), followed by an Award dated 27.03.2002. The acquisition was challenged in this Court by way of Civil Writ Petition No.5495 of 2002 (Satish Chand and others versus State of Haryana and others) and dispossession was stayed.

The above-stated writ petition was allowed by this Court vide

order dated 23.05.2014 (P-3). It is averred that no SLP was filed and the

said judgment has attained finality.

The grievance of the petitioners is that despite the fact that acquisition stands quashed, the land has not been restored in their favour, for which they represented the Deputy Commissioner, Yamuna Nagar vide representation dated 07.03.2016 (P-4).

Having heard learned counsel for the parties and keeping in view the factual issues raised by the petitioners, namely, that the above-stated judgment has attained finality, we dispose of this writ petition with a direction to the respondent-authorities to ascertain the correct facts and if no SLP has been filed and the judgment has attained finality, let the necessary entries be made in the revenue record/official record restoring the ownership and possession of the petitioners. The needful shall be done within a period of three months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

September 29, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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