

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22488-2016

Date of Decision: October 26, 2016

Devender

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

- | | | |
|----|---|---------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/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. |

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Present: Mr.Chanderhas Yadav, Advocate
for the petitioners.

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SURYA KANT, J.

Petitioner is said to have purchased a small residential plot measuring 200 sq.yds. by way of Full Payment Agreement dated 20.09.2016. The said plot was statedly released from acquisition which was carried out vide notification dated 10.04.2003 issued under Section 6 of the Land Acquisition Act, 1894 (for brevity, 'the 1894 Act'), whereby the land in the surrounding area was acquired for development of Urban Estate of Bahadurgarh, District Jhajjar. It is alleged that despite the fact that the subject land, out of which the petitioner has purchased his plot, was not part of the acquisition, the Authorities have demolished the structures and are adamant to take possession of the site.

We have heard learned counsel for the petitioners.

Since the factual issue as to whether the land in dispute was acquired or not can be effectively determined by the Land Acquisition Collector on verification of the record and the notifications issued under Sections 4 and 6 of the 1894 Act, alongwith the Award, we dispose of this writ petition without expressing any views on merit with a direction to respondent No.4- Land Acquisition Collector to determine the above-stated claim of the petitioners by way of a reasoned order within a period of two months from the date of receipt of a certified copy of this order.

**(SURYA KANT)
JUDGE**

October 26, 2016
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**(SUDIP AHLUWALIA)
JUDGE**