

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23634 of 2016.

Date of Decision: November 28, 2016

Sanjay @ Sanjay Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Ms.Kamlesh Khatri, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1, 3 & 4 only at this stage.

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

Let three 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 & 4 or to serve respondent No.2 at this stage as no order prejudicial to their interest is being passed.

The petitioner is said to have filed reference under Section 30 of the Land Acquisition Act, 1894 seeking apportionment of compensation. Since the opposite party against whom such apportionment claim is raised, are not party-respondents, it is not appropriate for this Court to express any opinion on merits. Suffice to observe that if any reference has been filed in accordance with law, the Land Acquisition Collector is required to forward

the same to the court of competent jurisdiction for its adjudication on merits.

We thus dispose of this writ petition with a direction to the Land Acquisition Collector, Rohtak to verify the facts and if any such reference is lying pending before him, let the same be forwarded to the court of competent jurisdiction within a period of one month from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

November 28, 2016
mohinder

**[SUDIP AHLUWALIA]
JUDGE**

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