

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 2958 of 2016

Date of Decision: 15.2.2016

Vijay Pal and others

....Petitioners.

Versus

State of Haryana and others

...Respondents.

1. Whether the Reporters of the 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?

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Mr. N.D. Achint, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for a direction to respondent No.2 to send the reference under Section 30 of the Land Acquisition Act, 1894 (in short “the Act”) to the District Judge, Gurgaon.

2. The petitioners are co-owners of the land situated within the revenue estate of village Wazirabad, Tehsil and District Gurgaon. Respondent No.2 issued notifications under Sections 4 and 6 of the Act for acquisition of the land of the petitioners. The award was passed on 21.7.2003. The petitioners filed objection petition dated 7.12.2011 (Annexure P-1) under Section 30 of the Act against the said acquisition.

In another matter relating to the land of Wazirabad, the petitioners also

raised objections under Section 30 of the Act which were allowed vide judgment dated 23.3.2015 (Annexure P-2). However, the said objections were not forwarded by respondent No.2 to the Court of District Judge, Gurgaon and in the meantime the Regular First Appeal filed by the petitioners was decided. The petitioners moved application dated 16.10.2015 (Annexure P-3) to respondent No.2 for forwarding the objection petition to the District Judge, Gurgaon for adjudication, but to no effect. Thereafter, the petitioners moved another application dated 5.11.2015 (Annexure P-4) for the similar relief, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have filed a objection petition dated 7.12.2011 (Annexure P-1) before respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to decide the objection petition dated 7.12.2011 (Annexure P-1) filed by the petitioners, in accordance with law by passing a speaking order and after affording an opportunity of hearing to all the concerned parties, i.e., the petitioners and respondents No.4 and 5 within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

February 15, 2016
gbs

(RAJ RAHUL GARG)
JUDGE