

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 3271 of 2016
Decided on : 18.02.2016**

Sajjan

... Petitioner

Versus

State of Haryana and others

... Respondents

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

PRESENT: Mr. Chanderhas Yadav, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of the notification dated 07.07.2011 (Annexure P-1), issued under Section 4 of the Land Acquisition Act, 1894 (in short 'the Act'), followed by notification issued under Section 6 of the Act, dated 06.07.2012 (Annexure P-5) as well as notification issued under Section 9, dated 21.04.2014 (Annexure P-7). The order dated 10.02.2015 (Annexure P-10) has also been assailed.

2. The petitioner had earlier approached this Court by way of CWP No. 12543 of 2014, which was disposed of vide order dated 3rd July, 2014, by directing the Land Acquisition Collector to verify the claim of the petitioner as to whether the construction was raised prior to issuance of notification under Section 4 of the Act. However, vide Annexure P-10, it has been held that the construction was in existence prior to issuance of notification under section 4 of the Act. The structures fall in road widening and 30 m wide green belt provided along Jhajjar-Badli Scheduled Roads. It has also been stated therein that the Government has already released/excluded an area measuring 1K-0M, falling beyond green belt in

favour the petitioner for shifting his residence on the recommendation of committee of officers. The relevant observations reads thus:-

“The structures fall in road widening and 30 m wide green belt provided along Jhajjar-Badli Scheduled Roads. It has also been stated therein that the Government has already released/excluded an area measuring 1K-0M, falling beyond green belt in favour the petitioner for shifting his residence on the recommendation of committee of officers Hence, it was proposed to the Government not to release any additional land in favour of the petitioner being not covered under the policy dated 26.10.2007 as modified on 24.01.2011. The proposal has been approved by the Government.”

3. In view thereof, no ground to interfere in the present writ petition is made out.

4. Dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

February 18, 2016

J.Ram