

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP No. 8123 of 2016. [O&M]
Date of Decision: 02nd May, 2016.

M/s Pegasus Assets Reconstruction Private Limited
Petitioner through
Ms. Reeta Kohli, Sr. Advocate with
Mr. Pardeep Sharma, Advocate.

Versus

State of Haryana & Ors. Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

- 1. Whether Reporters of 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?**

SURYA KANT, J. [ORAL]

Notice of motion to respondents No. 1 to 3.

Mr. Lokesh Sinhal, Additional AG, Haryana, on our asking, accepts notice on their behalf.

In view of the nature of order which we propose to pass, it is not necessary to call for the reply. Similarly, respondents No. 4 and 5 need not be served at this stage as no order prejudicial to their interest is being passed.

The petitioner is an Assets Reconstruction Company within the meaning of Section 3 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The petitioner seeks a *Mandamus* to direct the State of Haryana and its Authorities to release its land measuring 15 kanals 18 marlas comprised in Khasra Nos. 6/23/1, 23/2, 24/1, 23/2 situated in Sector 58, Kundli, District Sonapat. The above said land is

said to have been taken over by the petitioner from Allahabad Bank under an agreement dated 27.09.2013.

It is claimed that since neither possession of the acquired land was taken over nor compensation was ever paid by the State, the acquisition stands lapsed in view of Section 24[2] of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Reliance is placed on some information obtained under the Right to Information Act, 2005.

We find that the above stated claim has been raised by the petitioner vide representations which are still pending consideration before the concerned Authorities.

In this view of the matter, we dispose of this writ petition, without expressing any views on merits, with a direction to the Land Acquisition Collector-cum-Prescribed Authority of the State of Haryana to consider the above stated claim of the petitioner re: release of its land and dispose of the same, in accordance with law, after giving an opportunity of hearing to the petitioner and by passing a speaking order, within a period of three months from the date a certified copy of this order is received.

Disposed of. Dasti.

(SURYA KANT)
JUDGE

May 02, 2016.
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(A.B.CHAUDHARI)
JUDGE