

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Review Application No.139 of 2015 (O&M) in

Civil Writ Petition No.25765 of 2014

Date of Decision: July 27, 2016

Swami Dayanand Shiksha Samiti (Regd.)

.....Applicant-petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE DARSHAN SINGH.

Present: Mr.Naresh Kaushik, Advocate, for the review-applicant.
Mr.R.D.Sharma, Deputy Advocate General, Haryana.

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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.

The review-applicant seeks to recall the order dated 17.12.2014 whereby a Division Bench of this Court dismissed its writ petition vide which the order dated 05.11.2014 pertaining to the fresh survey conducted by Land Acquisition Collector, Rohtak in respect of the “acquired” of “left-out land” of the applicant-petitioner. The Division Bench rejected the petitioner’s claim for the release of a part of its land, observing as follows:-

“.....A perusal of the order Annexure P-10 shows that resurvey was conducted by the Land Acquisition Collector, Rohtak and it was found that there are two rooms on the spot and these are being used as School by the petitioner. The aforesaid order, however, reveals that as per the revised plan, the petitioners site effects the land of Low Income Group Scheme Commercial Facility.

In view of the facts of the case and reconsideration

by the respondents, no ground for releasing the land of the petitioner is made out.....”

The instant Review Application seeks to recall the above-stated order on the plea that the acquisition has now lapsed in view of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

We have gone through the selective information disclosed in the application which is totally vague and evasive. On one hand the applicant claims that the acquisition proceedings have 'lapsed' but on the other hand, it claims that the 'constructed portion' of the acquired property deserves to be released as per Government Policies dated 26.10.2007 and 14.01.2011. Since both the grounds were very much available to the review-applicant in the original Writ Petition but no such contention was raised at the time when the writ petition was heard or dismissed on 17.12.2014, we do not find any justifiable ground to entertain this Review Application.

Dismissed.

Since we have decided the review application on merits, no separate order is required to be passed on the application for condonation of delay of 54 days in filing the review application.

[SURYA KANT]
JUDGE

July 27, 2016
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[DARSHAN SINGH]
JUDGE

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