

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

Date of decision:20.02.2017

Raj Singh and others

.....Petitioners

v.

Balwan Singh, Land Acquisition Collector, Haryana Urban Estate,
Sector 1, Rohtak.

.....Respondents

Coram: Hon'ble Mr. Justice Jaswant Singh

Present:- Mr. Harkesh Manuja, Advocate for the petitioners.

Mrs. Shubhra Singh, Addl. AG Haryana for respondent

Jaswant Singh, J.

Agriculture land of the petitioners situated in Village Garh Shehjanpur, District Sonapat was acquired. However, compensation qua portion of the acquired land was allegedly not paid and possession not taken by the State. Petitioners by filing CWP 17147/2014 claimed release of said portion of land in view of Section 24(2) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short the Act).

The said petition was disposed of vide order dated 27.10.2014 directing the Land Acquisition Collector, Urban Estate, Rohtak to pass a speaking order qua the relief claimed. Since the needful was not done within the stipulated time present contempt was filed.

Upon notice reply has been filed by Rajinder Kumar, Land Acquisition Collector, Rohtak by stating that the speaking orders dated

9.1.2016 in compliance have been passed.

At the time of hearing, learned counsel for the petitioners submits that a careful reading of the said order dated 9.1.2016(P-1) reveals that the same does not meet the requirements of Section 24(2) of the Act in as much as clear cut findings have not been recorded.

However, at the time of arguments it is a conceded case of the parties that case for release of land under Section 24(2) of the Act can only be considered by the Zonal Committee of the area concerned constituted vide notification dated 22.5.2015 issued by Government of Haryana in compliance of the directions passed by this Court.

In view of the above, since the Land Acquisition Collector, Rohtak was not competent to decide it is agreed that the present contempt petition be disposed of by directing the Zonal Committee concerned to decide the claim set up by the petitioners in the previous writ petition afresh within three months from receipt of certified copy of this order. The petitioners are directed to file representation(s) to the Zonal Committee within two weeks from today.

Disposed of in above terms.

20.02.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No