

COCN NO.818 of 2015

#1# Manoj Kumar
2017.05.13 11:58
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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN NO.818 of 2015

Date of Order: 18.1.2017

Satyavir Vashishta

....Petitioner

Versus

Rajinder Singh Gahlot, Land Acquisition Collector, Faridabad

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. G.S. Malik, Advocate for the petitioner.

JASWANT SINGH, J

The petitioner, whose land measuring 59 kanal 10 marla along with other land owners situated within the revenue estate of village Sihi, Tehsil Ballabgarh, District Faridabad, was acquired by the Government of Haryana in 1992 for development and utilization of land as Residential and Commercial Sector 2, Faridabad, has alleged wilful disobedience of order dated 19.7.2013 (P.5) passed by this Court directing as under:

“In these circumstances, we dispose of this writ petition with a direction to the Land Acquisition Collector, Urban Estate, Faridabad-respondent No.4 to formally pass the award, if already not passed. On receipt thereof, the petitioner and other landowners shall be entitled to avail further remedy for enhancement of compensation in accordance with law. The needful shall be done within a period of two months from the date of receiving a certified copy of this order.”

Upon notice, a short reply by way of affidavit dated 08.8.2015 of Rajinder Kumar Gahlot, Land Acquisition Collector,

Urban Estate, Faridabad has been filed averring that the land of the petitioner was acquired and the award was passed on 18.11.1995 and thereafter a supplementary award No.5 for the year 2001-2002 dated 13.8.2002 was also passed on 13.8.2002 by the Land Acquisition Collector, a copy of which is annexed as Annexure R-IV. The said award was sent to the petitioner vide Memo No.4302 dated 10.10.2013 after the order of Division Bench of this Court passed on 19.7.2013 and there is no denial to the same.

In view of the aforesaid factual position, the appropriate remedy for the petitioner, if so advised, would have been to take recourse to Section 18 of the Land Acquisition Act.

No further action in this petition is warranted, therefore, the same is dismissed and the rule is discharged.

January 18 , 2017
Manoj

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>