

In the High Court of Punjab and Haryana at Chandigarh

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CR No. 2175 of 2017 (O&M)

Date of decision: 30.8.2017

RAJENDER SINGH

.....petitioner

Versus

STATE OF HARYANA & ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Sharma, Advocate,
for the petitioner.

Mr.Ravi Partap, AAG, Haryana.

Mr.Rajesh Gaur, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J (oral)

On 23.8.2017, following order was passed by this
Court:-

“Learned counsel for the petitioner contends that the impugned order dated 17.01.2017 was passed by Additional District Judge, Gurgaon by misconstruing the date of filing of the application under Section 28-A of the Land Acquisition Act to be 04.03.2015. In fact the said application was filed on 18.12.2013. The petition has been declined solely on the ground of limitation. Learned counsel points out that subsequently in a reference arising out of same notification, the Additional District Judge, Gurgaon vide judgment dated 01.04.2017 has answered the reference in respect of other co-sharers of the village and the petitioner has already filed a petition under Section 28-A of the Land Acquisition Act on

23.05.2017.

Notice of motion.

Mr. Ravi Partap Singh, AAG, Haryana accepts notice on behalf of the State and seeks time to explain the position.

Adjourned to 30.08.2017.”

Learned State counsel, on instructions, submits that since the petitioner has already filed an application under Section 28-A of the Land Acquisition Act after the decision of the Reference Court dated 1.4.2017, the same shall be dealt with in accordance with law by the learned Additional District Judge, Gurgaon without being influenced by the earlier order dated 17.1.2017 (Annexure P-6).

In view of aforesaid, this revision petition is disposed of. Since the petitioner has already filed petition under Section 28-A of the Land Acquisition Act, in view of decision dated 1.4.2017 passed by the learned Additional District Judge, Gurgaon, therefore, Reference Court is directed to decide the said petition in accordance with law.

(RAJ MOHAN SINGH)
JUDGE

August 30, 2017

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Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No