

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 12245 of 1994 (O&M)
Date of decision: 24.1.2017

Sansar Pal

.. Petitioner

v.

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: None for the petitioner.

Mr. Ankur Mittal, Addl. Advocate General, Haryana.

...

Rajesh Bindal J.

The present petition has been filed challenging the notification dated 25.6.1993, issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') and notification dated 25.3.1994, issued under Section 6 of the Act.

It is pleaded by the petitioner that he is owner of the land, which has been acquired only to benefit the allottees of plots No. 1115 to 1120, Sector 19, Faridabad. The action being arbitrary and discriminatory was challenged.

The case was taken up on 19th and 23rd January, 2017, however, none appeared for the petitioner.

Learned counsel for the State, while referring to para No. 2 of

is owner of the land is totally incorrect. Out of killa No. 22 and 24/1 min, land measuring 1 kanal and 1 marla was acquired, which is shown to be in possession of Ganga Lal son of Ganga Parshad as *gair marusi*, but ownership is recorded in the name of State of Haryana. Out of khasra No. 21, only 11 marlas have been acquired, which is shamlat deh. In rest of killa No. 21, there is a temple. He further submitted that after the acquisition in question, the sizes of plots No. 1115 to 1120 in Sector 19, Faridabad, were standardized. Those were allotted and the allottees may have raised construction thereon. In fact, large chunk of land was acquired for development as Sector 19 prior in time. The acquisition in question was very small.

After hearing learned counsel for the State and considering the stand taken by him that the petitioner is not owner of the acquired land, *prima facie*, we do not find any merit in the present petition. However, as counsel for the petitioner is not present, the writ petition is dismissed for non-prosecution.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

24.1.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No