

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

Varinder Singh
2017.02.09 10:44
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Punjab & Haryana High Court at
Chandigarh

CWP No. 11360 of 2000 (O&M)

Date of decision: 7.2.2017

Irshad Fatma

.. Petitioner

vs

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Ms. Abha Rathore, Advocate for the petitioner.
 Mr. Ankur Mittal, Additional Advocate General, Haryana.
 Mr. Kamal Preet Singh, Advocate for
 Mr. Pawan Kumar Mutneja, Advocate, for respondent no. 3.
 Mr. T. P. Singh, Advocate, for respondent no. 5.

Rajesh Bindal, J.

The grievance of the petitioner in the present petition is that the land was owned by her, however, she had leased out the same to respondent no. 4 to 13. It was acquired vide notification dated 25.5.1993 issued under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act'). Entire compensation was paid to the lessee. Despite objections by the petitioner, the Collector had decided the issue regarding entitlement of compensation, whereas he should have referred the same to the Court under Section 30 of the Act.

On the other hand, learned counsel for respondent no.5 submitted that the petitioner had raised the issue before the Court by filing application under Section 30 of the Act, which was dismissed by the Additional District Judge, Panipat, vide judgment dated 18.3.2008. The order attained finality, as no further appeal has been filed.

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After hearing learned counsel for the parties and considering the fact that besides filing the present petition, the petitioner had raised the dispute by filing application under Section 30 of the Act before the Additional District Judge, Panipat, where the claim of the petitioner was decided on merits against her, and that order has attained finality, we do not find that any ground is made out to interfere in the present writ petition. The same is accordingly dismissed.

(Rajesh Bindal)
Judge

7.2.2017
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned
Whether Reportable

Yes/No
Yes/No