

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

CWP No. 7704 of 2001 (O&M)  
Date of decision: 6.2.2017

Hari Ram and others

.. Petitioners

VS

The State of Haryana and another

.. Respondents

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

**Present:**     Mr. Bijender Kaushik, Advocate and  
                  Mr. B.S. Saroha, Advocate for the petitioners.  
                  Mr. Ankur Mittal, Additional Advocate General, Haryana.

**Rajesh Bindal, J.**

The petitioners approached this Court challenging the acquisition of land, where notification under Section 4 of the Land Acquisition Act, 1894 was issued on 29.2.1996. The land owned by the petitioners is 2 bighas, which was sought to be acquired for construction of sector road in Sectors 2 and 3 at Gurgaon. Emergency provisions were invoked.

The stand taken by learned counsel for the petitioners is that the road had already been constructed. Possession of 1162 square yard of land was taken for the purpose. Rest of the land is lying vacant. Learned counsel for the petitioners further submitted that land of other landowners was also acquired for the same purpose. The matter was reconsidered by the Government and finally the land which was required for construction of road only was acquired and rest of the land was released. He further submitted that the case of the petitioners be also directed to be reconsidered in similar terms. Order passed by this Court in CWP No.5529 of 1997—

Raghubir Singh and others vs. State of Haryana and another, was referred to.

Learned counsel for the State did not dispute the aforesaid factual position. He submitted that the case of the petitioners shall also be considered in terms of the earlier order passed by this Court in Raghubir Singh's (supra) and decision taken by the competent authority with reference to the land acquired vide same notification and for same purpose.

After hearing learned counsel for the parties, the present petition is disposed of giving liberty to the competent authority to reconsider the matter regarding release of land owned by the petitioners in terms of the earlier order passed by this Court in Raghubir Singh's case (supra) and decision taken in other cases pertaining to same acquisition.

Needful shall be done within a period of six months from the date of receipt of copy of the order.

(Rajesh Bindal)  
Judge

(Harinder Singh Sidhu)  
Judge

6.2.2017  
sharmila

Whether speaking/ reasoned  
Whether Reportable

Yes/No  
Yes/No