

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

CWP No. 122 of 2016 (O&M)

Date of decision: 13.11.2017

Chander

.. Petitioner

vs

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill**

Present: Mr. Arun Yadav, Advocate, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Shivendra Swaroop and Mr. Manoj Dhankhar, Assistant
Advocate Generals, Haryana.

Rajesh Bindal, J.

The present writ petition has been filed praying that acquisition of land in question has lapsed in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “the 2013 Act”).

Learned counsel for the petitioner submitted that the notifications for acquisition of the land under Section 4 and 6 of the Land Acquisition Act, 1894 (for short, 'the 1894 Act') were issued on 14.11.2008 and 4.12.2008, respectively. Award was announced by the Land Acquisition Collector on 2.12.2010.

Learned counsel for the respondents at the very outset submitted that award having been announced by the Collector on 2.12.2010

five years had not lapsed till the enactment of the 2013 Act. The claim made in the present writ petition cannot be sustained.

Learned counsel for the petitioner could not dispute the fact that the period of five years has not lapsed after the award was announced by the Collector till the enactment of the 2013 Act.

After hearing learned counsel for the parties, in our view, the prayer made in the present writ petition is misconceived. The provisions of Section 24(2) of the 2013 Act could be invoked if the award had been passed five years prior to the passing of the 2013 Act. In the present case, award was announced by the Land Acquisition on 2.12.2010.

The writ petition is accordingly dismissed.

(Rajesh Bindal)
Judge

13.11.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No