

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

Varinder Singh
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Punjab & Haryana High Court at
Chandigarh

CWP No. 17677 of 2014 (O&M)

Date of decision: 3.10.2017

Shri Niwas

.. 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 and
Mr. Manoj Dhankhar, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

The petitioner has filed the present writ petition challenging acquisition of land where notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, 'the Act'), were issued on 7.7.2011 and 6.7.2012, respectively.

The petitioner claimed himself to be owner of land measuring 18 kanal and 11 marlas. The claim made in the present petition is about 855 square yards of land, where house and shop had been constructed.

The stand taken by the State in reply to the petition filed is that during survey it was found that the petitioner had raised construction on the area approximately 9 marlas. Keeping in view the practice of the Government, 9 marlas additional vacant land was released from acquisition vide order dated 31.8.2013. Meaning thereby 18 marlas of land where the house of the petitioner was existing, was released from acquisition. Rest of the land was required, as it is falling in the 60 meters wide road and 30 meters green belt adjoining thereto.

Learned counsel for the State further submitted that the petitioner has received the compensation for the acquired land.

After hearing learned counsel for the parties and considering the fact that the State has already released 18 marlas of land owned by the petitioner finding that on 9 marlas of land construction had been raised by the petitioner and rest of the land is required for widening of 60 meters road and 30 meters for green belt adjoining thereto, we do not find that any case is made out for interference in the present writ petition. The same is accordingly dismissed.

(Rajesh Bindal)
Judge

3.10.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No