

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

CWP No. 18210 of 2015 (O&M)

Date of decision: 13.11.2017

Sunview Township Private Limited .. Petitioner
vs
State of Haryana and another .. Respondents

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

Present: Mr. Munish Gupta, 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 seeking direction against the respondents to assess compensation for the acquired land under the provisions 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 15.12.2006 and 14.12.2007, respectively. Award was announced by the Land Acquisition Collector on 3.7.2009.

Learned counsel for the petitioner further submitted that the land in question was purchased by the petitioner vide sale-deed dated

10.1.2006. It was acquired vide notification under Section 4 of the 1894 Act dated 15.12.2006. No doubt, the mutation was entered in favour of the petitioner on 18.5.2007, but it was prior to the announcement of the award by the Collector on 3.7.2009. The petitioner has not been paid compensation till date. The petitioner had even made representation to the Collector on 22.3.2015 but the prayer made therein was that the compensation be assessed in terms of the provisions of the 2013 Act. He further submitted that the petitioner will supplement its representation for seeking payment of compensation, which has already been assessed by the Collector. A direction be issued to the Collector to decide the same.

Learned counsel for the respondents submitted that if any representation is made by the petitioner for payment of compensation for the land already acquired and for which award was announced by the Collector on 3.7.2009, the same shall be considered and the action will be taken thereon within four weeks from the date of receipt thereof.

After hearing learned counsel for the parties, the present writ petition is disposed of giving liberty to the petitioner to file a representation with the Collector seeking payment of compensation for the acquired land. On filing of any such representation, the Collector shall take appropriate decision thereon within a period of four weeks after receipt thereof.

(Rajesh Bindal)
Judge

13.11.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No