

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

CWP No. 22006 of 2013 (O&M)

Date of decision: 16.8.2017

Balbir Singh and another

.. Petitioners

VS

The State of Haryana and others

.. Respondents

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

**Present:** Mr. Gaurav Tyagi, Advocate, for the petitioners.  
Mr. Ankur Mittal, Additional Advocate General, Haryana.

**Rajesh Bindal, J.**

The land of the petitioners having been acquired vide notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, 'the Act'), dated 16.1.2013 and 15.7.2013, respectively, for construction of sector roads of Sectors 103 and 106, Gurgaon, the present writ petition has been filed seeking quashing of the acquisition thereof. Further prayer has been made directing the respondents to allot alternative site to the petitioners before dispossessing from the land in dispute, where they claimed to have constructed residential houses before the acquisition.

At the time of hearing, learned counsel for the petitioners submitted that the petitioners are not challenging the acquisition of land, rather restricting their claim for allotment of plot under Rehabilitation Policy.

Learned counsel for the State submitted that in khewat no. 48//11, the total area is 7 kanals 2 marlas. There are 20 co-sharers. 7 co-sharers have already received the compensation. The petitioners, who have filed the present writ petition, are owners to the extent of 110 square yards each in the total khewat. Out of the total amount of compensation of ₹ 3,03,73,919/-, ₹ 1,75,08,753/- has already been paid to the landowners.

Learned counsel for the State further submitted that as per the Rehabilitation Policy, the petitioners are jointly entitled for allotment of plot measuring 200 square meters, which shall be allotted to them within a period of three months from the date of receipt of copy of the order. It was further submitted that the other co-sharers in the khewat are not entitled for allotment of plot as they had not constructed any residential house on the acquired land.

Learned counsel for the petitioners submitted that in view of the fair stand taken by learned counsel for the State, the present petition may be disposed of in terms thereof.

Ordered accordingly.

( Rajesh Bindal )  
Judge

16.8.2017  
vs

(Gurvinder Singh Gill)  
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No