

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23987 of 2015(O&M)

Date of Decision:24.10.2017

Dilbag Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

**Present: Mr.Naveen Daryal, Advocate,
for the petitioner.**

Ms.Palika Monga, Deputy Advocate General, Haryana.

Rajesh Bindal, J.

The petitioner has approached this Court seeking quashing of acquisition of land owned by him, which is measuring 635 square yards.

It was submitted that initially 270 square yards land was released, however, despite there being order passed by the Director General, Urban Estate and Town & Country Planning Department, Haryana, some constructed portion, which was directed to be released, was not released.

Learned counsel for the State has produced a site plan in Court, which has been taken on record. The site plan suggests that the areas shown in green colour were released from acquisition at two stages, the total being 270 square yards. It was further submitted by learned counsel for the State that in front side of the house of the petitioner is street, whereas on two sides, there are constructed houses which were released from acquisition. However, in the back portion, the land was acquired which is

in possession and ownership of HUDA. A perusal of the site plan shows that the land had not been properly earmarked for release to the petitioner earlier as there are small small patches which apparently may not be of any use.

Learned counsel for the State, on instructions from Amrik Singh, DTP, Karnal, submitted that the State will release 45'-6" x 80'-0" rectangular plot to the petitioner including the portion which has already been released, as has been depicted in the site plan, which has been marked as 'W','X', 'Y' and 'Z'. The needful shall be done within three months from today. Aforesaid fair stand has been taken considering the fact that certain left out portions cannot gainfully be utilized by HUDA. It is in the interest of both, the petitioner as well as the State that this portion of the land is being released.

The petitioner shall remove the construction, if any, from the land which is not proposed to be released to the petitioner within the aforesaid period of three months and hand over the physical possession thereof to the authorities.

In view of the aforesaid stand taken by learned counsel for the parties, the present writ petition is disposed of in terms thereof.

(Rajesh Bindal)
Judge

October 24, 2017
seema

(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No