

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

CWP No. 28438 of 2013 (O&M)
Date of decision: 9.3.2017

Smt. Dyalo Devi and others

.. Petitioners

v.

The State of Haryana and others

.. Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Nitin Goyal, Advocate for
Mr. Raghujeet Singh Madan, Advocate for the petitioners
in CWP No.28438 of 2013 and
Mr. Sanjeev Gupta, Advocate, for the petitioners
in CWP No.249 of 2014.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Mr. Jeevan Gupta, Advocate, for respondent No.3
in CWP No.28438 of 2013.

..

Rajesh Bindal, J.

This order will dispose of two petitions bearing CWP Nos.28438 of 2013 and 249 of 2014, as common questions of law and facts are involved therein. However, facts have been taken from CWP No.28438 of 2013.

The petitioners have challenged the acquisition of land only on the ground that the award having not been passed within two years from the date of notification issued under Section 6 of the Land Acquisition Act, 1894 (for short 'the Act'), the acquisition lapsed. Notification under Section 4 of the Act was issued on 22.2.2007. It was followed by notification dated 19.2.2008 issued under Section 6 of the Act. The award was passed on 24.10.2013. The same was beyond a

period of two years, even excluding the period during which there was any interim stay granted by this Court.

Learned counsel for the respondents, on instructions from A.S. Arora, Law Officer, HSAMB; Vijender Malik, PS, Agriculture and Hukum Chand, Secretary-cum-EO, Market Committee, Babain, fairly submitted that even if the period during which there had been interim stay by this Court, is excluded, the award is beyond the period of two years from the date of issuance of notification under Section 6 of the Act.

After hearing learned counsel for the parties and in our view, present petition deserves to be allowed. Section 11-A of the Act provides a period of two years for passing award after issuance of notification under Section 6 of the Act. As award has admittedly been passed beyond the period of two years, the acquisition lapsed.

Ordered accordingly.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

9.3.2017
sharmila

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No