

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

CWP No. 24977 of 2016 (O&M)

Date of decision: 30.11.2017

Mohan Lal

.. Petitioner

vs

The State of Haryana and others

.. Respondents

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

Present: Mr. Ashok Aggarwal, Senior Advocate with
Mr. Mukul Aggarwal, Mr. Yogesh Kumar Dahiya and
Mr. Sunish Bindhlish, Advocates, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Manoj Dhankhar and Shivendra Swaroop, Assistant
Advocate Generals, Haryana.

Rajesh Bindal, J.

Status report by way of affidavit of Braham Parkash, Land Acquisition Collector, Urban Estate, Rohtak, dated 29.11.2017, filed in Court, is taken on record.

The petitioner has approached this Court claiming that the acquisition in question has lapsed in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short "the 2013 Act"), as neither the possession of the acquired land has been taken nor the compensation thereof has been paid.

Notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, 'the 1894 Act'), were issued on 17.11.2015 and 7.2.2006, respectively. Award was announced by the Land Acquisition Collector on 2.3.2006.

Learned counsel for the respondents did not dispute the fact that the compensation of ₹ 29,40,114.00 for the acquired land was not

received by the petitioner, hence, it was deposited with the learned Reference Court vide cheque no. 62663 dated 21.8.2010. However, he submitted that the acquired land is required for completion of project namely, Eastern Peripheral Expressway (EPE) in the Rajiv Gandhi Education City Sonipat. To avoid any litigation pertaining to the areas of the land falling within the Eastern Peripheral Expressway, the State has decided to offer equivalent land in exchange to the landowners, whose land has been acquired for the purpose. Hence, in the case of the petitioner as well, for the area which is required for Eastern Peripheral Expressway, equivalent area will be given to him.

Learned counsel for the petitioner submitted that in case the petitioner is given land equivalent to the land owned by him, which has been acquired, he would be satisfied.

After hearing learned counsel for the parties, the present writ petition is disposed of upholding the acquisition, however, with a direction to the respondents to allot land to the petitioner equivalent to his land, which has been acquired for the purpose of Eastern Peripheral Expressway (EPE) in the Rajiv Gandhi Education City Sonipat. The needful be done within four months.

The State is at liberty to withdraw the amount deposited with the learned Reference Court.

(Rajesh Bindal)
Judge

30.11.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No