

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

**Date of Decision : 09.10.2017
CWP No.22901 of 2017**

Satpal

.....Petitioner

Versus

State of Haryana and another

..... Respondents

2

CWP No.22902 of 2017

Samay Singh

.....Petitioner

Versus

State of Haryana and another

..... Respondents

3

CWP No.22913 of 2017

Jagdish and another

.....Petitioners

Versus

State of Haryana and another

..... Respondents

4

CWP No.22952 of 2017

Satwanti and others

.....Petitioners

Versus

State of Haryana and others

..... Respondents

5

CWP No.22961 of 2017

Jaipal Singh and others

.....Petitioners

Versus

State of Haryana and another

..... Respondents

6

CWP No.22903 of 2017

Nand Kishor and another

.....Petitioners

Versus

State of Haryana and another

..... Respondents

7

CWP No.22972 of 2017

Shakti Kataria and others

.....Petitioners

Versus

State of Haryana and another

..... Respondents

8

CWP No.23123 of 2017

Bala Devi and others

.....Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Pankaj Jain, Advocate for the petitioner(s).

ARUN PALLI, J. (Oral)

Notice of motion.

Ms. Safia Gupta, AAG, Haryana, present in Court, accepts notice on behalf of the respondents. Copies furnished.

For, the nature of order I propose to pass in these petitions no formal written statements/counter affidavits, on behalf of the respondents, are indeed necessary, at this stage. And, for, the issue that arises for determination in all these petitions is common, these are being disposed of

by a common order.

Vide notification, dated 17.12.2013 (published on 27.12.2013), issued under Section 4, a land situated in village Basai Tehsil and District Gurugram, including the land holdings of the petitioners was sought to be acquired for development and utilization of Public Utility Sector 101, Gurugram. Final declaration under Section 6 was published on 8.12.2014, vide which an area measuring 245.26 acres was acquired. Vide award Nos. 41 and 43 dated 1.12.2016, the Land Acquisition Collector assessed the value of the acquired land. The contents of the award rendered by the Collector reveals that possession of a land measuring 84.10 acres was obtained vide rapat No.395 dated 01.12.2016 (Annexure P-2). The limited grievance of the petitioners is that neither they were offered any compensation at the time of pronouncement of the award nor did they ever decline to receive the same. In fact, the claimant/landowners were actually paid the compensation much later in April/May 2017. Thus, it is claimed that in terms of the provisions of Section 80 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the petitioners are entitled to interest @ 9% per annum, on the compensation awarded by the Collector, for the period of delay. It is maintained that vide representation dated 10.08.2017 (Annexure P-4), the petitioners had even represented to the respondents in this regard. But to no avail.

In response, learned State counsel submits that the claim of the petitioners as also their representation, dated 10.08.2017 (Annexure P-4), shall be considered and decided within a period of 8 weeks from today and the appropriate orders, in accordance with law, shall be passed.

Accordingly, the petitions are disposed of in the above terms. However, in the event, the petitioners are not found entitled to the interest being claimed, the authorities shall pass a comprehensive order assigning reasons in support thereof. Whereas on the contrary, if their claim is accepted, the requisite amount, they are found entitled to, shall be released at once.

09.10.2017

Manoj Bhutani

(ARUN PALLI)
JUDGE

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