

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

**RA-CW No. 430-CWP of 2008 (O&M)
in CWP No. 16660 of 2007**

Date of decision : 11.12.2017

Gaj Raj

.. Applicant

versus

The State of Haryana and others

.. Respondents

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

Present: Mr. Rajiv Atma Ram, Senior Advocate with
 Mr. Ranjit Singh Kalra, Advocate, for the applicant.

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

Rajesh Bindal, J.

CM No. 24819-CWP of 2008

After hearing learned counsel for the parties, delay of 306 days
in re-filing the Review Application is condoned.

Civil Misc. stands disposed of.

RA-CW No. 430-CWP of 2008

Review of the order dated 30.10.2007 passed by this Court
dismissing the writ petition has been sought, on the ground that there is
hostile discrimination as initially the land measuring 53 acres sought to be
acquired when notification under Section 4 of the Land Acquisition Act,

1894 was issued, however, finally award was announced only for 13.4087 acres. Even thereafter portions of land were released. Entire area around the land is sought to be acquired is developed by DLF and in fact, the same is known as DLF Sector. The land is located in small-small different pockets and hence, cannot possibly be utilized by the State. In fact, the acquisition has been made on behest of the DLF and is ultimately to be transferred to it.

Keeping in view the aforesaid facts and the site plan produced by learned counsel for the State in Court, in our opinion, the order dated 30.10.2007 dismissing the writ petition deserves to be re-called and the writ petition heard on merits, even though in order dated 15.1.2010, it was recorded that notice is pertaining to release of land after dismissal of the writ petition.

Ordered accordingly.

The main writ petition is taken up for hearing and is disposed of by a separate order.

(Rajesh Bindal)
Judge

11.12.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No