

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

CWP No. 5029 of 2014 (O&M)

Date of decision : 16.11.2017

Sadhu

.. Petitioner

versus

State of Haryana and others

.. Respondents

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

Present: Dr. Naresh Kaushik, Advocate, for the petitioner.

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

Rajesh Bindal, J.

The petitioner has filed the present writ petition claiming that the acquisition 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”).

Learned counsel for the petitioner submitted that notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short “the 1894 Act”), were issued on 17.11.2005 and 7.2.2006, respectively. The Land Acquisition Collector vide award dated 2.3.2006 announced the compensation for the acquired land. The petitioner is in actual physical possession of the land. It is claimed that the construction on the acquired land was raised prior to the issuance of notification under Section 4 of the 1894 Act.

Learned counsel for the State submitted that the petitioner is

not the owner of the land in question. The Gram Panchayat is the owner. It is a dilapidated veterinary dispensary and the petitioner was residing in a room, as he was working as a labourer at the time of construction. The possession of the land in question was taken by the authorities on 2.3.2006. The compensation has been received by the panchayat of village Asarwarpur vide cheque no. 515010 dated 31.10.2006.

Heard learned counsel for the parties and perused the paper book.

Admittedly, the petitioner is not the owner of the land in dispute. He was residing in the abandoned veterinary dispensary. He has no right as such to claim possession or compensation, as the Gram Panchayat is the owner of the land in question. The compensation has been received by the panchayat vide cheque no. 515010 dated 31.10.2006.

The writ petition is dismissed.

(Rajesh Bindal)
Judge

16.11.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No