

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.26131 of 2017 (O&M)

Date of Decision:- 16.11.2017

Dushyant

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurminder Singh Gill

Present:- Mr. Sudhir Aggarwal, Advocate for the petitioner.

Rajesh Bindal, J.

Learned counsel for the petitioner submitted that the land owned by the petitioner was sought to be acquired. Notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short 'the Act') were issued on 19.1.2012 and 17.1.2013, respectively. The petitioner filed CWP No.4764 of 2013-Dushyant and others Vs. State of Haryana and others challenging the acquisition, which was disposed of vide order dated March 11, 2013 directing the authorities to consider the claim of the petitioner for release of land and pass a speaking order in accordance with law/policy decision. Two months time was granted. Till then parties were directed to maintain *status quo*. The claim made by the petitioner was decided by the competent authority vide order dated 27.7.2013. The aforesaid order was challenged by filing CWP No.28346 of 2013, however, the same qua the petitioner was withdrawn on December 20, 2013. Subsequently, CWP No.15237 of 2014-Dushyant Vs. State of Haryana and others was filed and the same was dismissed on 2.8.2014.

The submission is that in case the period, during which there was interim stay granted by this Court, is excluded acquisition qua the land of the petitioner has lapsed, as more than two years have passed after the issuance of notification under Section 6 of the Act and till date no award has been passed for the land owned by the petitioner. The petitioner claimed that he had filed a representation dated 1.10.2015, which has not been responded till date.

After hearing learned counsel for the petitioner, however, without opining on the merits of the controversy, the present petition is disposed of with a direction to respondent No.1 to decide the claim made by the petitioner in the aforesaid representation, within a period of four months from the date of receipt of copy of this order.

The present petition stands disposed of accordingly.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

16.11.2017
pankaj

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No