

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5557 of 2016 (O&M)

Date of Decision:- 19.12.2017

Gobind Deen Dayal and others

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present:- Mr. N.D. Achint, Advocate for the petitioners.

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

Rajesh Bindal, J.

The petitioners have approached this Court claiming that the acquisition of land 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 the possession of the acquired land has not been taken.

Learned counsel for the petitioners submitted that though the compensation for the acquired land has been received by the petitioners, however, they are still in possession thereof. He further stated that the plot in question is located in a colony, which has already been regularized. There is no approach to the plot in question.

Learned counsel for the respondents submitted that after receipt of compensation, petitioners cannot raise the plea under Section 24(2) of the

2013 Act after possession thereof had been taken. The plot is lying vacant and there is no construction existing thereon. It has approach from the main road in colony, which as such has been regularized, but not the portion, which is under acquisition. The claim of the petitioners that they are in possession of the acquired portion of land is totally wrong.

The present petition is accordingly dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

19.12.2017
pankaj

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No