

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

CWP No. 27 of 2017 (O&M)

Date of decision: 28.2.2017

Rajender and others

.. Petitioners

vs

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mrs. Justice Sneh Prashar**

Present: Mr. Sandeep Kumar Yadav, Advocate, for the petitioners.
Mr. Ankur Mittal, Additional Advocate General, Haryana.

Rajesh Bindal, J.

The petitioners have filed the present petition with a grievance that possession of the land owned by them was taken way back in the year 1987 for construction of Bhagot Minor, in villages Bhagot and Pota, District Mahendergarh. Though notifications under Sections 4 and 6 of the Land Acquisition Act, 1894, were issued on 25.11.1986 and 19.5.1987, respectively, however, finally no award was passed, consequently, the acquisition lapsed. Some of the landowners approached this Court by filing CWP No. 1005 of 2013 – Ganpat and others vs State of Haryana and others, which was disposed of on 9.7.2013, on the stand taken by learned counsel for the State that fresh acquisition proceedings will be initiated and concluded before 15.10.2013.

Reply by way of affidavit of P. D. Sharma, Land Acquisition Collector-cum- District Revenue Officer, Narnaul- respondent no.2, dated

27.2.2017, on behalf of respondent nos. 1 to 4, filed in Court, is taken on record.

In the case in hand, the petitioners have not been paid any compensation, hence, the present petition was filed.

Learned counsel for the respondents submitted that there was some delay in assessment of compensation on account of decision pertaining to correct factor to be applied for assessment of compensation. The award in the present case was announced by the Collector on 5.5.2014. The State will deposit the amount in the account of the petitioners within one week from today. In case the petitioners have any grievance regarding the amount of compensation, they may avail of their appropriate remedy. As the petitioners are being paid compensation now, they shall be entitled to file objections in terms of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act') within a period of six weeks from the date of receipt of compensation. In case these are filed, the same shall be considered within time in terms of the provisions of Section 64 of the Act.

Learned counsel for the petitioners submitted that the petitioners will supply their bank account particulars in the office of the Land Acquisition Collector-cum- District Revenue Officer, Narnaul, within two days. The amount shall be transferred in the account of the petitioners within seven days from the date the petitioners furnish their bank account particulars in the office of the Land Acquisition Collector-cum- District Revenue Officer, Narnaul. They shall be entitled to file objections thereafter as stated by learned counsel for the State, which shall

be considered in accordance with law treating the same to be within
limitation.

The petition stands disposed of accordingly.

(Rajesh Bindal)
Judge

28.2.2017
vs

(Sneh Prashar)
Judge

Whether speaking/ reasoned
Whether Reportable

Yes/No
Yes/No