

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 670 of 2016 (O&M)
Date of decision: 7.9.2017

Ran Singh and others

.. Petitioners

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashok Aggarwal, 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 the land owned by them measuring 1 kanal and 12 marlas forming part of Khasra No. 22/1 min has been acquired. Notification under Section 4 of the Land Acquisition Act, 1894 (for short, 'the Act') was issued on 21.5.2013. The land is sought to be acquired for continuity of Master Plan roads of Sectors 75 to 89, Faridabad. Notification under Section 6 of the Act was issued on 22.11.2013.

The argument raised is that in Khasra No. 22, measuring 8 kanals, where there are seven share holders, five of the share holders had sold their shares of land measuring 5 kanals and 16 marlas to respondent No. 3-M/s Business Park Builders (P) Ltd. and for balance 2 kanal and 4 marlas, there are two share holders and the petitioners' share comes to 1

kanal and 12 marlas. The land has been acquired not for the purpose shown in the notification, rather, to be given to respondent No. 3, whose land is adjoining to the acquired land.

Learned counsel for the respondents submitted that from the *aks shijra*, attached with the reply as Annexure R-1, it is evident that the entire khasra number is forming part of the road. Even the land, which was purchased by respondent No. 3 and falling in khasra No. 22, has been given by it to the Government for construction of road. It has been so stated in para No. 5 of the reply.

After hearing learned counsel for the parties and considering the fact that acquisition of land in the present case is for the purpose of construction of road and further the plea raised by the petitioners that the land has been acquired not for the purpose of road but to be given to respondent No. 3 having not been found to be correct, we do not find that any ground is made out to interfere in the present petition.

Accordingly, the writ petition is dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

7.9.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No