

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

213

CWP No.346 of 2017(O & M)

Date of Decision:06.09.2017

**Haryana State Industrial and Infrastructure Development Corporation
Limited**

....petitioner

Versus

Smt.Shanti Devi and others

.....respondents

CWP No.348 of 2017(O & M)

**Haryana State Industrial and Infrastructure Development Corporation
Limited**

....petitioner

Versus

Smt.Chander Wati and others

.....respondents

CWP No.18504 of 2017(O & M)

Smt.Chanderwati and others

....petitioners

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Pritam Singh Saini, Advocate
for the petitioner in CWP Nos.346 and 348 of 2017

Mr.Gaurav Aggarwal, Advocate
for the petitioners in CWP No.18504 of 2017

Mr.Shivendra Swaroop, AAG Haryana

ARUN PALLI, J. (ORAL):

Vide this order and judgment, I shall decide three writ petitions i.e. CWP No.346,348 of 2017 preferred by the Haryana State Industrial and Infrastructure Development Corporation Limited (HSIIDC) and CWP No. 18504 of 2017, filed by the claimants-landowners

In the petitions filed by HSIIDC, it has assailed the orders of an even date i.e. 13.04.2015 (Annexure P3) passed by the Collector under Section 28-A of the Land Acquisition Act, 1894 (for short, 'the Act') vide which he had re-determined the compensation. Whereas, in CWP No.18504 of 2017, the petitioners, who are arrayed as respondents in CWP No.348 of 2017, seek a direction to the respondents to disburse the compensation, in terms of the order passed by the Collector in their favour.

Learned counsel for the parties are ad idem that all these petitions arise out of a common acquisition i.e. for setting up Industrial Model Township, Manesar Phase-IV, Tehsil and District Gurgaon. And, the appeals preferred by the HSIIDC as also the claimant-landowners against the award rendered by the reference Court, under Section 18, are pending before this Court. Further, in the absence of any stay order, most of the claimants-landowners have since been disbursed compensation in the execution proceedings. And, the executing Court is still seized of the proceedings in the case of other co-landowners. It is not disputed either that the claimants-landowners in these petitions had not filed objections under Section 18 to the award rendered by the Collector and had rather moved the Collector under Section 28-A of the Act.

Having argued the matter at some length, learned counsel for

the parties have reached a consensus: that as soon as the claimant-landowners, in respect of the acquisition for Phase-IV, Gurgaon, who's claims are being processed by the executing Court, are disbursed the compensation, the claimants even in the present case, shall be paid compensation, in terms of the order rendered by the Collector under Section 28-A. Learned counsel for HSIIDC submits that the claims of the landowners/decreed holders before the executing Court are likely to be satisfied, within a period of three months from today. And, in the event, the landowners, in the present case, are not released the compensation within a reasonable time, thereafter, they shall be at liberty to move an application in these matters itself, for appropriate orders.

Accordingly, the petitions are disposed of in the above terms.

September 06, 2017

neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No