

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

1. RA-CW-199-2017 In
CWP No.3916 of 2015
Date of decision : 26.04.2017

Rajneesh Gandhi ...Petitioner

Versus

The Collector Gurgaon and others ...Respondents

2. RA-CW-203-2017 In
CWP No.5742 of 2015
Date of decision : 26.04.2017

Virender Kumar Gandhi ...Petitioner

Versus

The Commissioner Gurgaon and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. Shailendra Jain, Sr. Advocate with
Mr. Satyendra Chauhan, Advocate for petitioner.

Mr. Indresh Goel, Addl. A.G. Haryana.

AMIT RAWAL, J. (Oral)

This is an application seeking review of the order dated 19.01.2017 passed by this Hon'ble Court in CWP No.3916 of 2015. Notice has already been issued.

Mr. Shailendra Jain, Sr. Advocate assisted by Mr. Satyendra Chauhan, learned counsel for the petitioner submits that petitioner would have independent grievance qua remedy having availed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, therefore, the penultimate para of the order dated 19.01.2017 passed by this Hon'ble Court in CWP

No.3916 of 2015 need to be deleted.

The aforementioned factum of the decision of this Court and the outcome of the petition, may not be kept intact.

Learned counsel appearing on behalf of State though do not deny the factum of availment of the remedy by the petitioner but submits that order is perfectly legal and justified and there is no clarification required to be given.

I have heard learned counsel for the parties and appraised the paper book.

This case pertains to the correction of the mutation and, therefore I am of the view that aforementioned observation of mine that with regard to the outcome of the decision in CWP no.20691 of 2014 may not come in the way of the petitioner in the present petition as petitioner owing to the separate cause of action has availed the remedy under Section 24(2) of the Act.

Resultantly, penultimate (following) para of the judgment 19.01.2017 passed by this Hon'ble Court in CWP No.3916 of 2015 is deleted:-

“This order of mine shall be subject to the final outcome of the writ petition bearing No.20691 of 2014 which is stated to be pending.”

Accordingly, present review application stands allowed.

26.04.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No