

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10495-2018

Date of Decision: April 30, 2018

Satpal and othersPetitioners
Versus
The State of Haryana and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SHEKHER DHAWAN

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

.....

Present: Mr.Sandeep Sharma, Advocate for the petitioners.

.....

SURYA KANT, J.

Notice of motion.

[2] On our asking, Mr.Ankur Mittal, Additional Advocate General, Haryana, alongwith Mr.Manoj Dhankhar, AAG, Haryana, who is present in Court, accepts notice on behalf of all the respondents.

[3] Let three copies of the writ petition be handed over to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

[4] In view of the nature of the order which we propose to pass, there is no need to seek any counter reply from the respondents at this stage as no order on merits prejudicial to their interest is being passed.

[5] The petitioners are residents of village Tigra, District Gurgaon.

They seek quashing of the Notification dated 12.12.2008 (P1) and

11.12.2009 (P2) issued under Sections 4&6 of the Land Acquisition Act, 1894 respectively followed by Award dated 23.11.2011(P3) to the extent these proceedings pertain to their land acquired for development of Commercial Belt along Southern peripheral road 62, 65 and 66 at Gurugram.

[6] At the outset their counsel states that the petitioners do not claim benefit of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for brevity,'the 2013 Act') and they only seek parity with other similarly placed persons, whose residential houses alongwith cattle sheds have been ordered to be released in CWP No.11911 of 2011 (M/s Vishnu Apartments Pvt.Ltd. and others vs State of Haryana and others), namely, a bunch of cases decided on 19.10.2015.

[7] Without expressing any views on merits, the instant writ petition is thus disposed of in terms of the above-stated order and let the claim of the petitioners for the release of their properties be considered as per the Government Policy or the observations made by this Court in the cited decision, however, on the grounds other than Section 24(2) of the 2013 Act.

[8] Let an appropriate decision be taken within three months and till then status quo re: demolition of construction be maintained.

(SURYA KANT)
JUDGE

April 30, 2018
meenuss

(SHEKHER DHAWAN)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No