

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

**CWP No.14514 of 2018**

**Decided on : 20.11.2018**

Ashok & others

... Petitioners

Versus

State of Haryana & others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : None.

**G.S. Sandhawalia, J. (Oral)**

Case has been called thrice. There is no appearance on behalf of the petitioners. Matter has been lingering in the urgent list since May, 2018. On an earlier occasion, on 28.08.2018, counsel was asked to apprise the Court whether the award dated 26.02.2016 was subject matter of challenge at the hands of Municipal Corporation, Gurugram. However, counsel has failed to put in appearance and apprise this Court of the said fact.

The present writ petition challenges the above-mentioned award whereby compensation had been awarded to the private-respondents in LA case No.94 of 2015 by the Land Acquisition Collector. The appellants were never party before the Reference Court and were never impleaded and now, are raising the allegations of fraud and collusion of the revenue authorities.

The private-respondents, on the basis of material produced, have been held entitled by the Reference Court for payment to the extent of 70% on account of their status as *gair marusi* tenants since 1967-68, in the land falling in Village Khushrupur, Tehsil & District Gurugram, which was acquired vide notification dated 25.01.2008, for the purpose of development and utilization of the land for 150 mts wide periphery road

linking Dwarka Township, Delhi from Haryana boundary to National Highway No.8 near Village Kherki Daula at Gurugram. The issue, as such, which are raised, are also disputed questions and should have been raised, at the outset, before the Reference Court.

Keeping in view the above, the present writ petition is dismissed in default.

**November 20<sup>th</sup>, 2018**  
*sailesh*

**(G.S.SANDHAWALIA)**  
**JUDGE**

*Whether speaking/reasoned:*  
*Whether Reportable:*

*Yes/No*  
*Yes/No*