

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.18349 of 2018.

Date of Decision: July 26, 2018

Jaibagwan and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

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

-.-

Surya Kant, J. (Oral)

The petitioners have been served with a show cause notice (P-5) by the Estate Officer-II, HUDA, Gurugram to vacate the premises/land which allegedly belongs to HUDA. The petitioners in their reply dated 11.07.2018 have taken the stand that the acquisition of their land stands lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is further averred that residential house at the site is liable to be exempted from acquisition as per Government Policy.

Apprehending demolition of the residential house, the petitioners have filed the instant writ petition.

It is not in dispute that the question of applicability of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is sub-judice before the Hon'ble Supreme Court in SLP (C) cc 8453 of 2017 (State of Haryana and others versus M/s G.D.Goenka Tourism Corporation Limited and another). Till the said controversy is decided, it appears that both the

parties are required to maintain *status-quo* re: demolition of the existing structures. However, instead of expressing any views on merits, the writ petition is disposed of with a direction to the Estate Officer-II, HUDA, Gurugram to consider the reply submitted by the petitioners and pass a reasoned order in accordance with law and maintain *status-quo* re: demolition till such time.

Dasti.

[SURYA KANT]
JUDGE

July 26, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No