

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

CWP No.19255 of 2018 (O&M)

Date of Decision: 06.08.2018

Rajbir & Anr.

...Petitioners

VS.

State of Haryana & Ors.

... 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)

(1) The petitioners have been served with a show cause notice dated 04.07.2018 (P5) by the Estate Officer-II, HUDA, Gurugram to vacate the premises/land which allegedly belongs to HUDA. The petitioners in their reply dated 05.07.2018 (P6) 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.

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

(3) 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.

(4) **Dasti.**

(Surya Kant)
Judge

06.08.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

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

Yes
No