

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2177 of 2018.

Date of Decision: February 01, 2018

Gurmukh Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Navmohit Singh, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner's land comprising khasra No.21/22/1, situated within the revenue estate of village Ratauli, Tehsil Jagadhri, District Yamuna Nagar, was proposed to be acquired vide notifications dated 03.10.2006 and 01.10.2007 issued under Sections 4 & 6 respectively of the Land Acquisition Act, 1894. The petitioner filed objections under Section 5-A of the 1894 Act claiming that a residential house was in existence on a part of the acquired land. His claim to that extent was accepted and constructed area measuring 391 square yard was released while issuing notification under Section 6 of the 1894 Act.

The short grievance of the petitioner in the instant writ petition is that no proportionate open space has been released for proper utilization of the residential house. The petitioner claims that about 250 square yards open space within the acquired land is lying unutilized which deserves to be released for better utilization of his residential house. Reliance is placed on a decision of this Court dated 31.10.2013 rendered in CWP No.9321 of 2000 (Surinder Kumar and others versus State of Haryana and others).

Since the claim raised by the petitioner requires ascertain of correct facts, the instant writ petition is disposed of without expressing any views on merits, with a direction to the respondents to consider the above-mentioned claim of the petitioner sympathetically and take an appropriate decision within a period of four months from the date of receiving a certified copy of this order.

Dasti.

[SURYA KANT]
JUDGE

February 01, 2018
mohinder

[SHEKHER DHAWAN]
JUDGE

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