

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23549 of 2018.

Date of Decision: September 14, 2018

Vinod Sharma and others

.....Petitioners

versus

Haryana Shahari Vikas Pradhikaran and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Vijay K.Jindal, Senior Advocate with
Ms.Janya Sirohi, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners apprehend their eviction from the premises/land which HUDA claims to have vested in it. The petitioners in their representations dated 10.04.2018/21.06.2018, on the other hand, have taken the stand that the acquisition of their land has 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 houses/structures at the site are otherwise liable to be exempted from acquisition as per Government Policy.

Apprehending demolition of their residential houses/structures, 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, Haryana Shahari Vikas Pradhikaran, Gurugram, to consider the representation 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

September 14, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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