

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2409 of 2018.

Date of Decision: February 05, 2018

Virender Kumar and others

.....Petitioners

versus

The State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SHEKHER DHAWAN.**

\*\*\*

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

Mr.Ankur Mittal, Additional AG, Haryana.

-. -

**Surya Kant, J.** (Oral)

Notice of motion.

On our asking, Mr.Ankur Mittal, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

Let three copies of the writ petition be handed-over to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage as no order on merits prejudicial to their interest is being passed.

The petitioners have laid challenge to the notifications dated 12.12.2008 (P-1) and 11.12.2009 (P-2) issued under Sections 4 & 6 of the Land Acquisition Act, 1894, respectively, followed by Award dated 23.11.2011 (P-3). Vide the same acquisition, the land alongwith residential houses and cattle shed of the petitioners, as per the details given in para-2 of

the writ petition, situated within the revenue estate of village Nagli Umarpur, District Gurugram, was acquired. The petitioners have not received any compensation and physical possession of the acquired property is also stated to be with them.

Regardless thereto, reliance is placed on the judgment dated 19.10.2015 rendered by a Coordinate Bench in CWP No.11911 of 2011 (M/s Vishnu Apartments Pvt. Ltd and others versus State of Haryana and others) and other connected writ petitions where directions were issued to consider the release of the land which was acquired vide the same impugned notifications. It is stated that implementation of said judgment is under consideration before the authorities.

The instant writ petition is thus disposed of without expressing any views on merits of petitioners' claim in terms of the above-cited decision, with a direction to the respondents to consider the petitioners' claim for the release of their residential house alongwith cattle shed in terms of the decision in M/s Vishnu Apartments Pvt. Ltd and others' case. Let an appropriate decision be taken within a period of four months from the date of receiving a certified copy of this order. Till such time, *status-quo* re: possession be maintained by both the parties.

**[SURYA KANT]**  
**JUDGE**

February 05, 2018  
*mohinder*

**[SHEKHER DHAWAN]**  
**JUDGE**

|                                  |          |               |
|----------------------------------|----------|---------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes/No</b> |
| <b>Whether Reportable</b>        | <b>:</b> | <b>Yes/No</b> |