

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2660 of 2018.

Date of Decision: February 06, 2018

Bhagwati Devi and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.H.S.Dhillon, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Jharsa, Tehsil and District Gurugram. Their grievance in the instant writ petition is against the alleged demolition of their residential house despite the fact that the acquired land comprising khasra No.112//16/1/2 min., measuring 9 marla was ordered to be released while issuing notification under Section 6 of the Land Acquisition Act, 1894 vide which the land for development of Residential, Commercial and Institutional Sector-38, Gurugram was acquired. The case of the petitioners is that their residential house was constructed over the released 9 marla land which has been illegally demolished. The petitioners rely upon memo No.4989 dated 22.02.2010 of the Land Acquisition Collector, Gurgaon which is addressed to petitioner No.2 and according to which the above mentioned 9 marla land has been released/not included in the acquisition.

In this view of the matter, we dispose of this writ petition with a direction to the Estate Officer, HUDA, Sector-34, Gurugram to conduct a fact-finding enquiry and if it is found that the petitioners' land comprising

Khasra No.112//16/1/2, measuring 9 marla has been released from acquisition way back in the year 1993, let it be further determined as to who is the official responsible for illegal demolition of petitioners' house. The fact-finding enquiry be conducted within two months from the date of receiving a certified copy of this order and its outcome be communicated to the petitioners. The petitioners thereafter shall be at liberty to take appropriate action in accordance with law.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 06, 2018
mohinder

[SHEKHER DHAWAN]
JUDGE

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