

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.423 of 2018.

Date of Decision: January 12, 2018

Smt.Bhagwati and others

.....Petitioners

versus

The District Collector and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Shailendra Jain, Senior Advocate with
Mr.Harman Jivtesh Singh, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are Dholdhars of the land bearing khasra No.52, measuring 1 bigha 4 biswansi as per the jamabandi for the year 2003-04 situated within the revenue estate of village Sikandarpur Ghosi, Tehsil and District Gurgaon. The aforesaid land was acquired by the State of Haryana as a part of chunk of land but this Court vide judgment dated 05.12.2017 rendered in a bunch of writ petitions including CWP No.23622 of 2011 filed by the petitioners, declared the said acquisition to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition (Rehabilitation and Resettlement) Act, 2013.

The petitioners had earlier filed a petition before the Collector, Gurgaon to determine their claim re: vesting of proprietary rights being the Dholdhars over the land in question but the same was declined on 18.05.2012 primarily on the ground that the land had already been acquired and its possession was with HUDA.

Since the said acquisition has been declared to have lapsed by

this Court vide the judgment referred to above, the instant writ petition is

disposed of without expressing any views on merits of the petitioners' claim with a direction to the District Collector, Gurgaon to re-determine the claim of the petitioners under the provisions of the Haryana Dholidar, Butimar, Bhondedar or Muqaridar (Vesting of Proprietary Rights) Act, 2010, in accordance with law and after hearing all the parties concerned. Let an appropriate order be passed within a period of four months from the date of receiving a certified copy of this order.

(SURYA KANT)
JUDGE

January 12, 2018
mohinder

(SHEKHER DHAWAN)
JUDGE

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