

MUKHTIAR SINGH & ORS VS STATE OF HARYANA & ORS

Present: None for the petitioner(s).

Mr. Ankur Mittal, Additional Advocate General, Haryana
with Mr. Manoj Dhankhar, Assistant Advocate General,
Haryana for the respondents.

The instant writ petition has already been allowed vide order dated 27.11.2017 to the extent that acquisition of the petitioners' land has been declared to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as "the Act"). However, the matter has been kept pending for compliance of orders dated 10.01.2017 and 27.04.2017, the relevant extracts of these orders are to the following effect:-

"The respondents shall file an affidavit of the Secretary of the department concerned giving complete details of different acquisitions and explaining reasons as to why after acquisitions, the compensation was not paid to the landowners and if paid why the actual physical possession of the acquired land was not taken and the persons responsible therefor. If the affidavit is not filed, the Secretary concerned shall remain present in Court in person on the next date of hearing."

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"As the cases are being filed in Court pertaining to acquisition of land by other departments in State as well, such as PWD, Irrigation, Electricity and HSIIDC. Similar plans are required to be prepared by those departments as well. Learned counsel for the State may apprise the Chief Secretary, Haryana to direct the departments concerned to prepare the plans in the manner as these are being prepared for acquisition of land by the Urban Estate Department."

It may, thus, be seen that the authorities have been directed to compile the details of different acquisitions and explain the reason as to why the compensation has not been paid to the land owners and why the physical possession of the land was not taken. Similarly, a direction has been issued to prepare the plans regarding acquisition of the land giving full details of the acquired or released or constructed land etc. Since these directions are required to be complied with by the different departments/agencies of the State Government, we direct the Chief Secretary, Haryana to issue general instructions to all the concerned departments for necessary compliance of these directions within a period of three months from the date of receipt of certified copy of this order.

(Surya Kant)
Judge

(Shekher Dhawan)
Judge

January 24, 2018
“DK”