

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3574 of 2019

Date of Decision: 08.02.2019

Duni Chand

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. PS Jammu, Advocate for the petitioner

G.S. SANDHAWALIA, J. (Oral)

(1) Notice of motion. Mr. Sudeep Mahajan, Addl. AG Haryana accepts notice. Copy supplied.

(2) Challenge in the present writ petition is to the order dated 11.08.2016 (P4) whereby in an application filed under Section 28A of the Land Acquisition Act, 1894, a sum of ₹ 602 per sq.yard has been granted on account of the award of the Reference Court, Sirsa dated 30.11.2011 and further enhancement is prayed for.

(3) By judgment of even date passed in RFA No.438 of 2012 Bhajan Lal (since deceased) vs. State of Haryana & Anr., this Court has set aside the award dated 30.11.2011 and remanded the matters for fresh decision.

(4) The claim as such for enhanced compensation does not survive in the present case as the basis of the order does not subsist. Resultantly, the present petition has rendered infructuous. However, liberty is granted to the petitioner to file a fresh petition under Section 28A of Act after the Reference Court decides the reference petitions afresh, if the occasion so requires.

08.02.2019

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(G.S. Sandhawalia)
Judge