

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

IOIN-CWP-23541-2016

Rampal & Ors.
Versus
State of Haryana & Ors.

Present: None for the petitioners

Ms. Vibha Tewari, AAG Haryana

Mr. Pritam Saini, Advocate for respondent No.3

The main case already stood disposed of as having become infructuous on 12.12.2017. The case was kept pending for status of Section 28A applications before the authorities. As per the order dated 13.12.2018, the latest status report dated 19.03.2019 has been filed by Sh. Mukesh Kumar Ahuja, Director, Urban Estate, Haryana Panchkula. The pendency zone wise has been given as under:-

*“(i) **Faridabad Zone:-** In Faridabad Zone, there are three districts namely Faridabad, Palwal and Nuh. In this zone, no application is pending under Section 28-A of the Act.*

*(ii) **Gurugram Zone:-** In Gurugram Zone, there are three districts namely Gurugram, Rewari and Mahendergarh. In this zone, 13 applications are pending under Section 28-A of the Act. One application has been filed by Sh. Malkhan Singh on 18.12.2018. A notice for hearing the land owners in all the 13 cases has been issued by LAO, Gurugram for 09.04.2019. A detailed list in tabular form showing the information of Gurugram Zone is enclosed as Annexure R-1.*

*(iii) **Hisar Zone:-** In Hisar Zone, there are six districts namely, Hisar, Sirsa, Fatehabad, Jind, Bhiwani and Charkhidadri. In this zone, 42 applications are pending under Section 28-A of the Act. 39 applications are pending due to pendency of appeal before the Hon’ble High Court and 1 application is pending due to appeal*

before the Hon’ble Supreme Court. In remaining 2 cases, a notice for hearing the land owners has been issued by LAO, Hisar for 02.04.2019. A detailed list in tabular form showing the information of Hisar Zone is enclosed as Annexure R-2.

(iv) **Panchkula Zone:-** In Panchkula Zone, there are six districts namely, Panchkula, Ambala, Yamunanagar, Kaithal, Kurukshetra and Karnal. In this zone, 94 applications are pending under Section 28-A of the Act. 88 applications are pending due to pendency of appeal before the Hon’ble High Court and 6 applications are pending due to pendency of appeal before the Hon’ble Supreme Court. A detailed list in tabular form showing the information of these applications is enclosed as Annexure R-3.

It is pertinent to mention that the 39 applications which were noticed by this Hon’ble Court in the order dated 13.12.2018 to be pendency for a date of hearing have been decided by the Land Acquisition Collector, Panchkula.

(v) **Rohtak Zone:-** In Rohtak Zone, there are four districts namely Rohtak, Jhajjar, Sonapat and Panipat. In this zone, 12 applications are pending under Section 28-A of the Act, as the State has filed appeal before this Hon’ble Court. A detailed list in tabular form showing the information of these applications is enclosed as Annexure R-4.

Further, the status/reasons of pendency viz-a-viz number of applications are also given below in the table:-

LAC Zone	Total applications pending u/s 28-A	Pendency due to filing of RFAs	Pendency due to filing of SLPs	Date of hearing fixed by LAC (DoH)
Faridabad	0	0	0	0
Gurugram	13	0	0	13 (09.04.2019)
Hisar	42	39	1	2 (02.04.2019)
Panchkula	94	88	6	0
Rohtak	12	12	0	0
G.Total-5	161	139	7	15”

Keeping in view the above explanation given that the pendency is also on account of the appeals which are pending before the superior courts, no further orders are called for. It is expected that the concerned authorities shall keep in mind the interest of the landowners and the fact that the State also has to pay heavy interest as per the provisions of 1894 Act, and decide the application at the earliest after the decision of the appeals. Accordingly, no further orders are called for.

IOIN stands disposed of.

19.03.2019
Vvishal

(G.S. Sandhawalia)
Judge