

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No.7586 of 2019

Date of decision: 05.12.2019

Mahesh Kumar Sachdeva and another

....Petitioners

Versus

The State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Adarsh Jain, Advocate,
for the petitioners.

Mr. R.K.S. Brar, Addl. A.G., Haryana.

RITU BAHRI J. (Oral)

Challenge in this petition is to the order dated 03.08.2019, whereby the Reference Court at Faridabad (Addl. District Judge, Faridabad) has held that objections filed by the landowners against the award dated 08.05.2015 were not maintainable keeping in view that the petitioners were to file a petition under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the New Act, 2013').

Similar issue had come up for consideration before this Court in Civil Revision No.5521 of 2019, titled as **M/s Super Seals India Limited vs. The State of Haryana and others,** (decided on 19.09.2019), whereby while referring to Section 18 of the Land Acquisition Act, 1894 (for short 'the Old Act, 1894') and Section 64 of the New Act, 2013, it has been held that even if, the procedures of deciding reference under the Old Act, 1894 and New Act, 2013 are different, since the landowners have led sufficient

evidence for enhancement, the Reference Court could follow the procedure under the relevant provisions of the New Act of 2013 itself and there was no case made out to remand the matter back to file a petition under the New Act.

Present petition, being squarely covered, is disposed of in the same terms as in **M/s Super Seals India Limited's** case (supra).

(RITU BAHRI)
JUDGE

05.12.2019
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No