

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

CR-2146-2020 (O&M)

Date of decision : 15.10.2020

Naresh Kumar Jain

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Nitin Jain, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. A.G., Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The challenge in the present revision petition is to the impugned order dated 14.08.2019 (Annexure P-1) whereby the Reference Court at Faridabad has held that the objections filed by the landowners against the award dated 08.05.2015 are not maintainable in view of the fact that the petitioner was required to file a petition under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the Act of 2013').

Learned counsel for the petitioner has contended that a similar matter had come up for consideration before this Court in CR No.5521 of 2019 titled as **"M/s Super Seals India Limited V/s The State of Haryana & Ors."**, decided on 19.09.2019, wherein, while referring to Section 18 of the Land Acquisition Act, 1894 (for short 'the Act of

1894') and Section 64 of the Act of 2013, it has been held that even if the procedures of deciding reference under the Act of 1894 and the Act of 2013 are different, since the landowners had led sufficient evidence for enhancement, the Reference Court could follow the relevant provisions under the Act of 2013.

Learned counsel for the petitioner would further contend that the impugned order in the present case was also challenged in CR No.7273 of 2019 titled as **“J.P. Singh & Anr. V/s The State of Haryana & Anr.”** and the said petition was disposed off in the same terms as in **M/s Super Seals India Limited's** case (supra).

Learned counsel for the State is not in a position to deny that the impugned order dated 14.08.2019 in the present case was challenged by some of the landowners in CR No.7273 of 2019 and the said revision petition was disposed off in the same terms as in **M/s Super Seals India Limited's** case (supra).

In view of the submissions made by learned counsel for the parties, the present revision petition is disposed off in the same terms as CR No.5521 of 2019 titled **“M/s Super Seals India Limited V/s The State of Haryana & Ors.”**, decided on 19.09.2019.

15.10.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO