

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

113

**CWP No.16144 of 2020
Decided on :05.10.2020**

Sunil Siwach

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Sandeep Goyat, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana for
Mr. Shivendra Swaroop, AAG, Haryana.

Mr. Satya Pal Jain, Additional Solicitor General of India,
with Ms. Alisha Arora, Advocate for the respondent-UOI.

(The proceedings are being conducted through
video conferencing as per instructions.)

G.S. Sandhawal, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari to quash the impugned order dated 26.06.2020 (Annexure P-11) passed by respondent No.3 and against the resettlement policy of Government of Haryana dated 09.11.2010 (Annexure P-3).

Notice of motion.

Mr. Anant Kataria, DAG, Haryana for Mr. Shivendra Swaroop, AAG, Haryana, accepts notice on behalf of the State and Mr. Satya Pal Jain, Additional Solicitor General of India with Ms. Alisha Arora, Advocate, accept notice on behalf of the respondent-UOI.

Counsels are ad idem that same order dated 26.06.2020 was

subject matter of consideration in CWP No.15656 of 2020 titled as **“Parmila Vs. State of Haryana and others”** and other connected matters wherein directions have been given to reconsider the case of the petitioners. The relevant portion of the same reads as under:

“There is no denying the fact that the land of the petitioners had been acquired by the NPCIL, a Central Government entity through Government of Haryana, when notifications under Sections 4, 6 and 7 of the Land Acquisition Act, 1894 were published on 29.07.2010, 25.07.2011 and 29.11.2011 by the Power Department, Government of Haryana. From the said factual position, it is clear that the land had been acquired with due approval and consent of the Government of Haryana.

The learned State Counsel could not point out as to whether the Secretary (Power), Government of Haryana was justified in rejecting the claim of the petitioners on mere technicalities. However, at this stage, learned counsel for the parties are ad-idem that the present writ petitions may be disposed of with a direction to the Additional Chief Secretary, Government of Haryana Power Department-respondent No.3 to reconsider the claim of the petitioners by treating the present writ petition(s) as a representation(s) and decide the same within 3 months from the date of receipt of a certified copy of this order, by passing a speaking order and after giving due opportunity of hearing to the petitioners, in accordance with law.

Ordered accordingly.”

Accordingly, the present writ petition is also disposed of in the same terms.

05.10.2020

Parveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No