

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
104 (2)

CM-7987-CWP-2020 in/and
CWP No. 1411 of 2017
Date of Decision: 14th September, 2020

Gobind Ram and others

....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. Vikram Singh, Advocate
for the Applicants/Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana
for the Respondents.

Dr. S. Muralidhar, J.

CM-7987-CWP-2020

1. This is an application praying for advancing the date of hearing in the main petition, which was adjourned *sine die* awaiting the decision of the Constitution Bench of the Supreme Court.

2. For the reasons stated therein, the application is allowed. With the consent of the learned counsel for the parties, the main petition (CWP-1411-2017) is taken up for hearing today itself.

CWP No. 1411-2017

3. In this writ petition, the prayer is for a declaration of deemed lapsing of land acquisition proceedings under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('the 2013 Act') and/or for release of the land in question. The petition is required to be rejected in view of the judgment dated

6th March, 2020 of the Constitution Bench of the Supreme Court in **Indore Development Authority v. Manoharlal and others, AIR 2020 SC 1496.**

4. Mr. Vikram Singh, learned Counsel appearing for the Petitioners states that the Petitioners desire to invoke Section 101-A of the 2013 Act which is a provision exclusive to the State of Haryana inserted therein by way of an amendment.

5. Accordingly the writ petition is dismissed, and the status quo order, if any, is vacated. It is clarified that if the Petitioners make a representation invoking S. 101-A of the 2013 Act, it will be for the Respondent authorities to examine it and pass an appropriate order in accordance with law.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

14th September, 2020
jk

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