

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
206 (84)

CWP-23398-2014

Date of decision: 31st August, 2020

Hill View Patarkar and Friends Coop. Group Housing Society Ltd.
.....Petitioner(s)

Versus

State of Haryana and others
....Respondents

CORAM: JUSTICE S. MURALIDHAR

JUSTICE AVNEESH JHINGAN

Present: Mr. Shailendra Jain, Senior Advocate with
Ms. Peeyushi Diwan Jain, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. 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 etc., AIR 2020 SC 1496.***

2. Mr. Shailendra Jain, learned senior Counsel appearing for the Petitioner states that the Petitioner desires 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 as well as in terms of the 2019 policy of the State.

3. Accordingly the writ petition is dismissed, and the status quo order, if any, is vacated. It is clarified that if the Petitioner makes a representation invoking S. 101-A of the 2013 Act and the 2019 policy, 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

31st August, 2020
Sachin M.

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No