

[CWP-4064-2017]

202/16

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-4064-2017

Date of Decision: 25<sup>th</sup> August, 2020

Rakesh Kumar Jain and another

....Petitioners

VERSUS

State of Haryana and others

....Respondents

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

Present: Mr. Sandeep Sharma, Advocate for  
Mr. Ashok Kumar Jindal, Advocate for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

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**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 said prayers are required to be rejected in view of the judgment dated 6<sup>th</sup> March, 2020 of the Constitution Bench of the Supreme Court in *Indore Development Authority v. Manohar Lal and others etc., AIR 2020 SC 1496*.

2. Mr. Sandeep Sharma, 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.

3. 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 Section 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

25<sup>th</sup> August, 2020  
*Sachin M.*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |