

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

**206 (2)**

**CWP No. 5341 of 2017**

**Date of Decision: 16<sup>th</sup> September, 2020**

Bagbir Singh

.....Petitioner

**Versus**

State of Haryana and others

.....Respondents

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

Present: Mr. Vivek Khatri, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

**Dr. S. Muralidhar, J.**

1. The challenge in the present petition is to the acquisition proceedings commencing with a notification dated 12<sup>th</sup> June, 1995 under Section 4 of the Land Acquisition Act, 1894 (LAA), followed by a notification dated 1<sup>st</sup> June, 1996, under Section 6 of LAA and culminating in an Award dated 9<sup>th</sup> June, 1998.

2. The acquisition was in respect of a total land measuring 39.57 acres in village Hansi, District Hisar, Haryana. The Petitioner seeks a declaration of deemed lapsing of land acquisition proceedings in terms of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('2013 Act').

3. It is seen from the reply of the Respondents that the Award was announced on 9<sup>th</sup> June, 1998 and physical possession of the land was taken and handed over to the Estate Officer, HUDA Hisar, on the same day by Rapat No. 341. Further, out of a total compensation amount of Rs. 1,37,43,081.05, an amount of Rs. 1,36,05,650.00 has already been disbursed. The balance amount is lying deposited in a specific account. The reply to the petition was filed way back on 23<sup>rd</sup> January, 2018 to which no rejoinder has

been filed till date.

4. With both negative conditions under Section 24 (2) of the 2013 Act not standing satisfied, there is no question of any declaration of deemed lapsing of land acquisition proceedings after the judgment of Constitution Bench of Supreme Court in *Indore Development Authority v. Manoharlal and others etc.*, AIR 2020 SC 1496.

5. Accordingly, the Court is of the view that there is no merit in the present petition. It is dismissed as such.

6. The status quo order, if any, hereby stands vacated.

(S. MURALIDHAR)  
JUDGE

(AVNEESH JHINGAN)  
JUDGE

16<sup>th</sup> September, 2020  
reema

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|----------------------------|----|
| Whether speaking/reasoned: | No |
| Whether Reportable:        | No |