

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

CWP-867-2018 (O & M)

Date of Decision: 03.02.2020

Om Wati and ors.

...Petitioner (s)

Vs.

State of Haryana and ors.

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Rajat Gautam, Advocate, for the petitioner(s).

Mr. Ankur Mittal, Addl.A.G., Haryana.

RAJAN GUPTA, J. (Oral)

Petitioners have sought a direction to restrain the respondents from evicting the petitioners and demolishing their houses except in due course of law.

During the course of hearing, learned counsel for the petitioners has referred to an order dated July 17, 2013 passed in CWP-19999 of 2012 titled as '*Ram Kishan and others versus State of Haryana and others*'. According to him, the petitioners are entitled to rehabilitation/resettlement and their case needs to be considered in light of the policy and the aforesaid order. There is, however, no dispute that petitioners cannot invoke Section 24(2) of the Land Acquisition Act. This issue is, thus, given a quietus.

In the affidavit filed pursuant to order dated 21.02.2018, it has been made clear by the State that the realignment of the road is not possible in view of the reasons given in the affidavit. Learned State counsel submits

that in view of the policy and Ram Kishan's Judgment (supra), in case any of

the petitioners, applies again for rehabilitation/resettlement and is found to be the owner of the land/plot, in question, before issuance of notification under Section 4 of the Land Acquisition Act, his/her case shall be considered and a speaking order shall be passed.

In view of the above, no cause of action survives in this petition.

Same is hereby disposed of.

(RAJAN GUPTA)
JUDGE

(KARAMJIT SINGH)
JUDGE

February 03, 2020
sukhpreet

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