

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

CWP No.37308 of 2019
Date of Decision: 12.02.2020

Bajinder SinghPetitioner

Versus

State of Haryana and othersRespondents

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

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

KARAMJIT SINGH, J.

The petitioner has filed this writ petition for issuance of a writ in the nature of certiorari for setting aside impugned order dated 30.03.2019 (Annexure P-11), notifications dated 23.08.2007 (Annexure P-1) and dated 21.08.2008 (Annexure P-5) issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') and all the subsequent proceedings with a further prayer to direct the respondents to release the constructed area of the petitioner from the acquisition, as has been done in the case of other similarly situated persons.

The land of the petitioner was situated in Village Singhpura, Tehsil Safidon, District Jind. It was notified for acquisition along with other land, vide notification dated 23.08.2007, under Section 4 of the Act, which was followed by notification dated 21.08.2008 under Section 6 of the Act. The petitioner filed objections under Section 5-A of the Act, on 24.09.2007. The land owners, earlier also, approached this Court by filing different writ petitions, which were disposed of by placing reliance upon a decision dated

10.07.2013 passed in CWP No.18678 of 2011 titled as '**Shiv Kumar and another Vs. State of Haryana and others**' and directions were issued to consider the claim of the concerned land owners for release of acquired land, in accordance with the Government policy. In all these cases, different orders were passed by the authorities and the claim for the release of land has been rejected. The claim of Karam Singh, father of the petitioner, was rejected on the ground that his land falls in Sector 8, Safidon and affects 60 meters wide green belt of 75 meters wide peripheral road, whereas the land pertaining to Shiv Kumar's case falls in Sector 7, Safidon. The Government has approved the proposal based upon the recommendations by the Chief Administrator, HSVP, that the land of the petitioner is not recommended for release.

The learned counsel for the petitioner has not been able to point out any error or illegality in the aforesaid order passed by the Director, Urban Estate Department, Haryana. The land/property of the petitioner is required by the Government, with regard to 60 meters wide green belt of 75 meters wide peripheral road. The case of the petitioner is not similar to that of Shiv Kumar.

We do not find any illegality in the order passed by the Director, Urban Estate Department, Haryana.

For the afore-mentioned reasons, this writ petition merits dismissal and is accordingly dismissed.

(RAJAN GUPTA)
JUDGE

(KARAMJIT SINGH)
JUDGE

12.02.2020

adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No