

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

107

CWP No.224 of 2021 (O&M)
Decided on 21.01.2021

Suresh Kumar and others

.....Petitioners

VERSUS

State of Haryana and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr.Salil Dev Singh Bali, Advocate, for the petitioners.

AJAY TEWARI, J. (Oral)

CM No.924-CWP of 2021

This application has been filed under Section 151 CPC for placing on record the copy of Award dated 27.07.2006 as Annexure P-32 passed by Land Acquisition Collector, Urban Estates, Haryana, Faridabad.

Application is allowed subject to all just exceptions and document Annexure P-32 is placed on record.

CWP No.224 of 2021

This petition has been filed by the petitioners challenging the acquisition of their land.

On the last date, the following order was passed:

“The primary contention which has been raised by the counsel for the petitioners in the present case is that pursuant to the award which was passed in the year 2006 they were not paid the compensation amount and in these circumstances the acquisition is deemed to have lapsed.

A reading of the award would enable us to come to the definitive conclusion as to whether the money was available with the Collector as mandated in

the para 242 of the **Indore Development Authority Vs. Manohar Lal & ors. etc. passed in SLP(C) Nos.9036-9038 of 2016 decided on 06.03.2020.**

Adjourned to 21.01.2021.

Today, by way of miscellaneous application, copy of the award has been placed on record as Annexure P-32. The following two stipulations made in the Award are very relevant:-

“INTEREST -No interest is admissible as the possession has been taken over after offering the compensation to the owners/interested persons.

“POSSESSION OF THE LAND- The possession of the land acquired vide this award has been taken over after referring the compensation except of the land which is under stay dispossession granted by the court of law. The land thus acquired for which possession has been taken, vests in the State of Haryana and on transfer now, vests in Haryana Urban Development Authority, free from all encumbrance from today.

It is thus clear that these facts are covered by the decision of the Supreme Court in the matter of **Indore Development Authority's case (Supra).**

Petition is dismissed.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

21.01.2021
anil

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>