

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P.No.687 of 2020(O&M)
Date of decision:26.10.2021.

Subhash Chand Sharma

...Petitioner

Versus

The State of Haryana and otehrs

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ajay Jain, Advocate,
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition filed under Article 226 of the Constitution of India, the petitioner prays for issuance of a writ in the nature of mandamus to direct respondent no.2-Additional District Judge-cum-Land Acquisition compensation Court, Rewari, to decide the LAC Case No.75 of 2014, titled as "Subhash vs. State of Haryana and others" and thereafter, to order release of 1/3rd of the amount of compensation in favour of the petitioner.

It is alleged that the State of Haryana has acquired the land vide an award dated 13.12.2013. As there was dispute with regard to apportionment and title accordingly on the application of the petitioner, reference to the Court of Additional District Judge was made by the Land

Acquisition Collector, on 04.09.2014. There was litigation pending between the petitioner and the private respondents which has now been finally decided by the Hon'ble Supreme Court vide an order dated 20.08.2018.

The petitioner, as already noted, primarily prays for direction to the reference Court to decide the petition under Section 30 of the Land Acquisition Act, 1894.

Sh. Rohit Arya, Deputy Advocate General, Haryana, has submitted that he has no objection, if the necessary direction as prayed, is issued by the Court.

It may be noted here that no formal notice in the writ petition has been issued.

Keeping in view the facts of the case and the nature of order which this Court proposes to pass, it is considered appropriate to dispose of the writ petition, at this stage.

The learned Additional District and Sessions Judge, Rewari, who is seized of the reference application under Section 30 of the Land Acquisition Act, 1894, is requested to dispose of the same within a period of 3 months from the date of receipt of the certified copy of this order.

Since, this order has been passed without issuing notice to the private respondents, they shall have liberty to file an application for re-call of the order, if so advised.

All the pending miscellaneous applications, if any, are also disposed of.

October 26, 2021
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(ANIL KSHETARPAL)
JUDGE

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