

(Through Video Conferencing)

CWP-1464-2021

Date of Decision: 22.01.2021

Hawa Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR
HON'BLE MRS. MEENAKSHI I. MEHTA**

Present: Mr. S.S. Dinarpur, Advocate, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

Prayer in the present petition is for quashing the compulsory acquisition proceedings notified by virtue of notification dated 2.1.2002 (Annexure P-4) issued under Section 4 and declaration dated 24.12.2002 (Annexure P-5) issued under Section 6 and the subject matter of award dated 21.12.2004 (Annexure P-6) under Section 11 of the Land Acquisition Act, 1894 (for short, 'the Act 1894') qua the total land of the petitioners measuring 2 bigha 10 biswa (including 0B-12B which has already been released) comprised in Khasra No.7213/1/1(0-11), 7214/4/1 (0-19), 78215/3/2(0-10) and 7216/1(0-10) upon which their residential house surrounded by boundary wall of 7 ft. is existing as the land of the similarly situated persons has been released.

Admittedly, the petitioner had filed CWP-22247-2016 earlier also with an identical prayer by invoking the provisions as contained in Section 24(2) of the Right to Fair Compensation and Transparency in Land

Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act 2013'). However, thereafter he had moved CM No.9059-2020 therein with a prayer to permit him to withdraw the said writ petition with liberty to approach the respondent-State by way of filing a representation under Section 101(A) of the Act 2013. Vide order dated 01.10.2020 passed by the Coordinate Bench, the above said CM had been partly allowed so far as it pertained to withdrawal of the above-mentioned CWP but the aforesaid liberty had been declined. Resultantly, the said writ petition was ordered to be dismissed for having been withdrawn.

Even before preferring the above-mentioned CWP, the petitioner had made several unsuccessful attempts to seek the same relief by moving writ petitions before this Court. Resultantly, the instant writ petition with the same prayer is not maintainable.

Hence, the present petition is dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

22.1.2021
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No