

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

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1. Civil Writ Petition No.13423 of 2004
Date of Decision: March 5th, 2021
Harbans Lal and another ...Petitioners
Versus
State of Haryana and others ...Respondents

2. Civil Writ Petition No.7076 of 2008
Shridhar Prasad and another ...Petitioners
Versus
The State of Haryana and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: None for the petitioners (in CWP No.13423 of 2004).

Mr. Vikram Singh, Advocate
for the petitioners (in CWP No.7076 of 2008).

Mr. Ankur Mittal, Additional Advocate General, Haryana.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Perusal of the record would indicate that these writ petitions were adjourned to await the decision of the Hon'ble Supreme Court in Sadhu Ram and others Versus State of Haryana (Special Leave to Appeal No.16967 of 2006).

Learned counsel for the State has informed the Court that the said SLP stands dismissed by the Supreme Court vide order dated 22.08.2014 upholding the acquisition, which is under challenge in the present writ petitions. He further brings it to the notice of the Court that the only question which has been left open by the Supreme Court related to the rights,

if any, of the petitioners under Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel for the State further informs that in the light of the interim order in favour of the petitioners, the said provision would not be of any help to the petitioners and, therefore, as of now the petitioners have not right.

None has put in appearance on behalf of the petitioners in CWP No.13423 of 2004. None had appeared on the earlier three occasions also i.e. on 10.11.2020, 27.11.2020 and 18.01.2021 when the case was taken up for hearing.

Learned counsel for the petitioners in CWP No.7076 of 2008 Mr. Vikram Singh states that he has no instructions from the petitioners in the said case as he has not been able to contact the petitioners and comply with the order dated 27.11.2020, which mandated filing of a specific affidavit of the petitioners as to whether the petitioners have received the compensation and as to what is the status of the houses, which have been constructed, prior to issuance of the notification under Sections 4 and 6 of the Land Acquisition Act, 1894.

In the light of the above factual position and the judgment of the Supreme Court dated 22.08.2014 passed in Civil Appeal No.8106 of 2014 arising out of SLP (C) No.16967 of 2006 upholding the acquisition of the land, which is a subject matter of the present writ petitions as also in the light of the interim order which has been passed by this Court in favour of the petitioners granting them *status quo* regarding possession, they cannot take the benefit of Section 24 as none would accrue to them in the light of

the judgment of the Supreme Court in *Indore Development Authority Versus Manoharlal and others*, AIR 2020 SC 1496.

These writ petitions are dismissed being devoid of merit.

It is clarified that interim orders, which have been passed by this Court in these cases, stand vacated.

Copy of this order be placed on the file of connected case.

(AUGUSTINE GEORGE MASIH)
JUDGE

March 5th, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No