

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

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**CWP-10847-2021 (O&M)
Date of Order:29.06.2021**

RAJ SINGH AND OTHERS

..Petitioners

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.S.Khurana, Advocate,
for the petitioners.

Mr. Samarth Sagar, Addl. A.G.,Haryana

ANIL KSHETARPAL, J(Oral)

The petitioners claim that their land was acquired in accordance with the procedure laid down in the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act').

They filed an application under Section 28-A of the Act for re-determination of the amount of compensation on the basis of the award of the Court. The Land Acquisition Collector has ordered re-determination in accordance with the order passed by the Hon'ble Supreme Court in a case arising from the same notification under Section 4 of the Act.

The petitioners claim that they have not been paid the interest as per the provisions of the Act. It is apparent that the Land Acquisition Collector, Jhajjar, has passed a detailed order while deciding an application under Section 28-A of the Act. Against such order, the petitioners have an effective alternative statutory remedy under Section 28-A(3) of the Act.

Learned counsel representing the petitioners while drawing the attention of the Court to the order passed in Civil Writ Petition No.15113 of 2018 (Shanti Devi and others vs. State of Haryana and others), decided on

21.11.2019, submits that in a similar cases, a Coordinate Bench has already passed an order directing the State to pay the amount.

This Bench has very respectfully gone through the order. In the considered view of this Court, once the petitioners have an effective alternative statutory remedy against the order of Land Acquisition Collector, it would not be appropriate to directly entertain a writ petition in exercise of extra-ordinary jurisdiction. The docket of cases of this Court is already over-flowing. Once an effective remedy is available and the petitioners are only praying for interest which can very well be adjudicated upon by the District Court, this Bench does not find it appropriate to entertain this matter in a writ petition.

However, if the petitioners apply to the Land Acquisition Collector for referring the matter to the District Court under Section 28-A (3) of the Act, within a period of 15 days, the same shall be disposed of within one month thereafter.

Disposed of accordingly.

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

June 29, 2021
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(ANIL KSHETARPAL)
JUDGE

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