

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

Sr. No.109

**CWP-19708-2021
Date of Decision: 04.10.2021**

JAIVEER

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. N.K. Malhotra, Advocate,
for the petitioner.

(Through video conference)

RITU BAHRI, J.

This petition has been filed by the petitioner for issuance of a writ in the nature of mandamus seeking directions to the respondents to consider and release/recover the unused and unutilized area of the land of the petitioner, which had been acquired for public, semi public and residential Sector 21, Rohtak. Further, prayer has been made to direct the respondents to consider and decide the representation dated 15.12.2019 (Annexure P-7).

Notice of motion.

Mr. Ankur Mittal, Additional Advocate General,
Haryana, assisted by Mr. Saurabh Mago, Assistant Advocate General,

Haryana, accepts notice on behalf of the respondents and refers to a judgment dated 11.11.2010 passed by Division Bench of this Court in the CWP-11020-2010 titled as “*Satya Narain Bhalothia and others Vs. State of Haryana and others*”, where the land in question was acquired by notification dated 24.12.2007 under Sections 4 and 6 of the Land Acquisition Act, 1894 (hereinafter referred to as 'Act'), for public, semi public and residential Sector 21, Rohtak. Learned State Counsel submits that while dismissing the said writ petition, it was observed that the petitioners in that case have not filed their objections under Section 5-A of the Act and the same was dismissed as sufficient relief had already been granted to the petitioners. Learned State Counsel further states that an SLP filed against this judgment was also dismissed by the Hon'ble Supreme Court on 18.03.2011. Learned State Counsel informs that even in the present case, the petitioner has not chosen to file objections under Section 5-A of the Act.

In any case, the petitioner has approached this Court for challenging the above-said notification, after a gap of more than 10 years of passing of the award as well as CWP-11020-2010, Satya Narain Bhalothia's case (supra).

After arguing for some time, at this stage, learned counsel for the petitioner seeks permission of this Court to withdraw the instant petition with liberty to make a representation, claiming release of land under Section 101-A of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

In view of the submission made by learned counsel for the petitioner, the instant writ petition is dismissed as withdrawn with the liberty as prayed for.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

04.10.2021
Himanshu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No