

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

CWP-24877-2019 (O&M)

Date of decision: 24.09.2021

Virender Kumar and another

....Petitioners

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aditya Jain, Advocate for the petitioners
Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J (Oral)

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

Learned counsel for the parties are ad idem that the present writ petition can be disposed of in terms of the decision dated 29.06.2021, rendered in CWP-10859-2021 titled as '**Narender Kumar alias Narender Singh and others vs. State of Haryana and others**', which is extracted as under:-

“2. Through these writ petitions, the petitioners pray for issuance of a writ in the nature of Mandamus directing the respondents to pay interest in accordance with the provisions of the Land Acquisition Act, 1894 (hereinafter referred to as “the 1894 Act”) as also as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the 2013 Act”). The petitioners claim that their land was acquired by an award passed on 21.04.2011 by the Land Acquisition Collector, Gurgaon, under Section 11 of the 1894 Act. They further claim that although the possession was taken, however, no compensation was paid. They claim that the compensation has been paid only

in the year 2020/2021.

3. As per the 1894 Act, the Collector performs quasi-judicial functions including the determination of compensation. Section 11 of the 1894 Act enables the collector to hold an inquiry and proceed to determine the market value of the land acquired. The Collector is also required to ensure that the amount is either deposited or paid in accordance with the provisions of the 1894 Act.

4. It is not in dispute that the petitioners have made a representation to the Land Acquisition Collector claiming the amount of interest as noticed above in April 2021.

5. Notice of motion.

6. On the request of the Court, Mr. Samarth Sagar, Additional Advocate General, Haryana, with Mr. Shivendra Swaroop, Assistant Advocate General, Haryana, accepts notice on behalf of respondent No.1 and 5. Mr. Ankur Mittal, Advocate, has put in appearance on behalf of respondent No. 2 to 4.

7. The learned counsels representing the parties are *ad idem* that these writ petitions can be conveniently disposed of by a common order on the very first date of hearing.

8. In the considered view of this Court, it would be more appropriate to direct respondent No.5-Land Acquisition Collector-cum- District Revenue Officer, Gurgaon, to decide the claim of the petitioners in accordance with the law within a period of two months from the date of receipt of a certified copy of the order. Needless to observe that if the petitioners are still aggrieved, they shall have the liberty to challenge the order.

9. With the observations made above, all the writ petitions stand disposed of.”

Hence, the present civil writ petition is also disposed of in terms of the order dated 29.06.2021 passed in CWP-10859-2021 titled as **'Narender Kumar alias Narender Singh and others vs. State of Haryana and others'**, extracted above.

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

24.09.2021

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

(ANIL KSHETARPAL)
JUDGE