

**142 and 144 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1.CR-820-2022 (O&M)

M/s Globe Hi Fabs LLP

....Petitioner

Versus

State of Haryana and others

..Respondents

2.CR-1150-2022 (O&M)

M/s D.P.Woodtech Pvt. Ltd.

....Petitioner

Versus

State of Haryana and others

..Respondents

Date of decision:13.12.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ram Bilas Gupta, Advocate for the petitioner
Mr.J.S.Pannu, AAG, Haryana and
Mr. Harsh Vardhan Shehrawat, AAG, Haryana
Mr. Ankush Chaudhary, Advocate for respondent no.3

ANIL KSHETARPAL, J (Oral)

By this order, two civil revision petitions i.e CR-820-2022
and CR-1150-2022 shall stand disposed of.

While assailing the correctness of the orders dated
09.08.2014 and 14.08.2019, the landowners have filed these revision
petitions. The case of the petitioners is that their land was compulsorily
acquired. Their application to the Land Acquisition Collector for
referring the matter to the court was forwarded, however, the Reference
Court has rejected the same on the ground that the application is required
to be filed under the Right to Fair Compensation and Transparency in

Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel representing the respondent admits that in view of the order passed in CR-2330-2020 titled as '**Mahaveer Singh vs. State of Haryana and others**' decided on 01.12.2022, these revision petitions are required to be allowed. The order dated 01.12.2022 reads as under:-

“By this order, two civil revision petitions i.e CR-2330-2020 and 2332-2020 shall stand disposed of.

Learned Advocate General, Haryana, admits that the impugned orders passed by the Reference Court, while directing the landowners to initiate the proceedings before the Land Acquisition Rehabilitation and Resettlement Committee are wrong because either under the old Act i.e Land Acquisition Act, 1894 or under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the matter is required to be decided by the District Judge. It is also admitted that the reference has already been sent by the Land Acquisition Collector to the competent court. Hence, the impugned orders are set aside. The reference applications are restored to their original numbers. The court is requested to decide the same on merits. The parties through their counsels are directed to appear before the Reference Court on 22.12.2022.

Disposed of.

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

Keeping in view the aforesaid facts, the present revision petitions are allowed. The Reference Court is requested to decide the same on merits. The parties through their learned counsels are directed to appear before the Reference Court on 13.01.2023.

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

13.12.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE