

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

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CR-163-2021(O&M)
Date of decision: 24.08.2022

MAHENDER SINGH

..Petitioner

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Adarsh Jain, Advocate
for the petitioner.

Mr. J.S. Pannu, AAG, Haryana.

Mr. Pritam Singh Saini, Sr. Addl. A.G., Haryana
Mr. Prateek Mahajan, Advocate
for respondent No.3.

ANIL KSHETARPAL, J(Oral)

The reference petition filed under Section 31 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the 2013 Act”), was dismissed on the ground that such reference is maintainable before Land Acquisition, Rehabilitation and Resettlement Authority under Section 51 of the 2013 Act.

The learned counsel representing the parties are *ad idem* that in view of notification dated 01.05.2018, the District Judge or his nominee in every sessions division has been conferred powers of the Presiding Officer for the purpose of Chapter VIII of the 2013 Act. They also rely upon the decision in **Civil Revision No.776 of 2021, titled as “Omwati Vs. State of Haryana and others, decided on 06.04.2021.**

In view of the consensus arrived at, the order dated 28.02.2020
is set aside.

The parties through their counsel are directed to appear before the Court of District and Sessions Judge on 22.09.2022, who will decide the case or nominate an appropriate officer in this regard.

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

August 24th, 2022

(ANIL KSHETARPAL)
JUDGE

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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>