

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

120

**CWP-4506-2022
Date of Order: 08.03.2022**

BALWAN SINGH AND OTHERS

..Petitioners

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, Advocate
for the petitioners.

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

ANIL KSHETARPAL, J(Oral)

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

On acquisition of the land belonging to the petitioner under the Land Acquisition Act, 1894 (hereinafter referred to as “the 1894 Act”, the petitioners did not apply under Section 18 of the 1894 Act forwarding the reference to the Court for the reassessment of the compensation. The petitioners filed an application under Section 28-A of the 1894 Act, which was allowed on 18.09.2017. Now, the petitioners have filed a writ petition for issuing a writ in the nature of mandamus to direct the respondents to release the same amount of compensation as assessed by the High Court in RFA-1625-2016, titled as “**Nafe Singh (Deceased) Through LRs and others Vs. State of Haryana and others**”.

As per Sub-Section 3 of Section 28-A, any person who has not accepted the award under Sub-Section 2, may, by a written application to the Collector, may request that the matter be referred by the Collector for the determination of the Court.

In regulating the procedure of filing an application under Sub-Section 3, the provisions of Section 18 to 28 of the 1894 Act, shall, so far as may be, apply to such reference as they applied to a reference under Section 18 of the 1894 Act.

In view of the aforesaid, the learned counsel representing the petitioners pray for permission to withdraw the writ petition to avail alternative remedy.

Ordered accordingly.

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

March 08th, 2022

Ay

(ANIL KSHETARPAL)
JUDGE

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