

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

286

CR-1746-2020

Date of decision: 14.12.2022

VINOD KUMAR KOHLI

..Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

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

ANIL KSHETARPAL, J(Oral)

The Reference court has dismissed the reference petitions filed under Section 18 of the Land Acquisition Act, 1894, after noting that the Land Acquisition Collector passed the award on 08.05.2015.

It has been observed that the landowners have filed reference under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The 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**, the present revision petition is 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 petition is allowed. The Reference Court is requested to decide the same on merits. The parties through their counsel are directed to appear before the Reference Court on 13.01.2023.

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

December 14th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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