

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

CWP-10203-2019 (O&M)

Date of decision: 02.09.2022

Lal Chand and others

...Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mukesh Yadav, Advocate for the petitioner
Mr.J.S.Pannu, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

While filing the writ petition, the petitioners have prayed for issuance of a writ in the nature of Mandamus, to direct the respondents to grant compensation for the acquired land. On 22.04.2019 the following order was passed:-

“Inter alia contends that vide speaking order dated 29.07.2015 (Annexure P-6), respondent No.3 had come to the conclusion that the award was not announced and therefore, there was statutory lapse of acquisition proceedings. It is further submitted that as per the order, the reasoning given is that possession before starting of the acquisition proceedings had been restored due to the said lapse and therefore, payment of compensation has been denied. Reference is made to the affidavit filed in the contempt petition (Annexure P-5), to submit that a road has been constructed on the spot and therefore, the petitioners have been dispossessed. It is, thus, submitted that in that case, respondents would have to initiate fresh proceedings under the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013.

Notice of motion.

Mr.Shivendra Swaroop, AAG, Haryana accepts notice on behalf of the State and prays for time to file reply.

List on 11.07.2019.

Let categorical report be submitted by the Revenue Authorities as to whether on the land

which was proposed to be acquired, road has been constructed or not, which should form part of the reply, to be filed by the State.”

Subsequently, the State of Haryana handed over the demand drafts drawn in favour of the petitioners, which were kept in safe custody of the Registrar (General) of the Court. Due to COVID-19, the writ petition was not taken up for hearing for nearly 2 years.

Learned counsel representing the petitioners submits that he has no objection for the disposal of the writ petition if the demand drafts are handed over to the petitioners.

On the other hand, the learned State counsel has submitted that the validity of the aforesaid demand drafts has lapsed with the efflux of time.

Keeping in view the aforesaid facts, the writ petition is disposed of. The Registrar (General) of this Court is directed to return the demand drafts to the office of Advocate General, Haryana. Sh.J.S.Pannu, AAG, Haryana, has stated that after preparing the fresh demand drafts, the payment will be made to the petitioners, within a period of two weeks, from today, positively.

Ordered accordingly.

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

02.09.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE