

CWP-12940-2018

Date of Decision: 26.07.2022

Suchita

....Petitioner

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Vikram Singh, Advocate  
for the petitioner

Ms. Tanushree Gupta, DAG Haryana

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SUDHIR MITTAL, J. (Oral)

According to the pleadings in the writ petition Notification dated 23.08.2007 was issued under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') acquiring land in village Safidon, District Jind for residential and commercial sectors in Safidon. The petitioner also owns land in the said village. Notification under Section 6 of the Act was issued on 21.08.2008 followed by award.

Some co-sharers namely Ajay Dewan etc. challenged the acquisition of their land comprised in Khewat No. 1631/1556, Khatoni No. 1941, Khasra Nos. 68/1 (5-2), 2/1 (2-16), 69/5/1 (8-0) measuring 15 Kanals 15 Marlas. The writ petition was allowed vide order dated 16.09.2013 as statement had been made on behalf of the State that no useful purpose would be served by retaining the land in question as all the surrounding land had been released.

According to the petitioner, she had purchased 13-1/3/318 share of the aforementioned land vide registered sale deed dated 15.09.2004. The land having been released, mutation was entitled to be entered in her favour on the basis of the

Learned State counsel submits that petitioner was not owner of the land released vide order dated 16.09.2013 and was, accordingly, not entitled to entry of mutation.

From the record of the case, it is apparent that the petitioner had purchased 13-1/3/318 share in land comprised in Khewat No. 1556 Khata No. 1856 Rectangle No. 68 Killa No. 1 (5-2) 2/1 (2-16) Rectangle No. 69 Killa No. 5/1 (8-0) measuring 15 Kanals 18 Marlas. It is not in dispute that the aforementioned land has been released from acquisition. Thus, there can be no hindrance in entering a mutation in favour of the petitioner on the basis of sale deed.

The writ petition is, accordingly, allowed. The State is directed to enter the mutation in favour of the petitioner on the basis of sale deed dated 15.09.2004.

26.07.2022  
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( SUDHIR MITTAL )  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |