

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

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CWP-20386-2022

Date of decision: 08.09.2022

GREATWAYS BUILDTECH LTD. AND ORS

..Petitioners

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Chopra, Sr. Advocate
with Mr. Ajiteshwar Singh, Advocate
for the petitioners.

Mr. Harsh Vardhan, AAG, Haryana.

Mr. Ankur Mittal, Advocate
Ms. Kushaldeep Kaur, Advocate
Mr. Shivam Garg, Advocate
for HSIIDC.

ANIL KSHETARPAL, J(Oral)

The petitioner prays for the issuance of a writ in the nature of mandamus to direct the Land Acquisition Collector (hereinafter referred to as 'the LAC') to redetermine the amount assessed vide Award No.1/2022, passed on 16.08.2022.

The petitioners' land is stated to have been acquired. It is claimed that the LAC did not assess the compensation in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as 'the 2013 Act'). This position is contested by the respondents on the ground that on account of the interim order passed by the Court, the award could not be announced under the Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act').

As per Section 18 of the 1894 Act and Section 64 of the 2013 Act, the landowners have a remedy of making an application for referring the matter to the Court for redetermination of the market value.

Once the petitioners have a statutory alternative remedy, no ground to issue the writ is made out.

With all these observations, the writ petition is disposed of.

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

September 08th, 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>