

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

**CWP-11131-2014 (O&M)
Date of decision: 14.03.2023**

Subhash Chander Mehta and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Akshay Bhan, Senior Advocate, with
Mr. Sidhant Suri, Advocate, for the petitioners.
Mr. Ankur Mittal, Addl. AG, Haryana.
Mr. Arvind Seth, Advocate, for the respondent-HSVP.

RAVI SHANKER JHA, C.J. (Oral)

CM-2396-CWP-2023

The affidavit filed by the petitioner in compliance to the order dated 23.01.2023, is taken on record. The application is allowed.

CWP-11131-2014 (O&M)

We have heard learned counsel for the parties.

Though this matter involves the issue of lapsing of acquisition proceedings under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, learned senior counsel for the petitioners fairly concedes that the aforesaid issue stands squarely covered by the decision of the Supreme Court rendered in **Indore Development Authority v. Manohar Lal and others**, AIR 2020 SC 1496. He, however, submits that an amicable settlement between the parties, as stated before this Court on 23.01.2023, has taken place and the petitioners have agreed to pay a sum of Rs.3,15,61,212/- @ Rs.73,900/- per square meter for the land admeasuring 427.08 square meters, comprised in khasra Nos.22//1/2/2(0-10), 2/2(0-1) and 9/1(0-13), village Malhera, Tehsil & District Gurgaon, for

purchasing a strip of land that had been acquired during the acquisition proceedings from HSVP.

Learned counsel appearing for the respondent-HSVP does not dispute the aforesaid fact. Rather, he submits that the authorities have in fact got the rate approved and have also made an offer @ Rs.3,15,61,212/- for the land in question to the petitioners, which has been duly accepted by them vide letter dated 16.02.2023. An affidavit dated 14.03.2023, has also been placed before this Court on behalf of HSVP, which is taken on record.

Both the counsel conjointly submit that the matter has now been settled between the parties. As far as the land measuring 427.08 square meters is concerned, learned senior counsel for the petitioners submits that the amount (i.e. Rs.3,15,61,212/-) would be deposited within a week from today with the HSVP. In response, it is submitted by learned counsel for the HSVP that on such deposit being made, the necessary formalities of drawing up and executing the documents would be completed by the parties within two weeks thereafter.

In the circumstances, the challenge to the issue of lapsing of acquisition proceedings under Section 24(2) of the Act is dismissed in terms of the order passed by the Supreme Court in Indore Development Authority's case. However, in view of the aforesaid settlement arrived at between the parties in respect of land measuring 427.08 square meters, situated at Mullahera, Tehsil & District Gurugram, the petition stands disposed of.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

14.03.2023
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO