

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

Civil Writ Petition No. 21 of 2022 (O&M)

Reserved On: 21.07.2023

Pronounced On: 12.10.2023

Haryana State Industrial and Infrastructure
Development Corporation Limited (HSIIDC),
Panchkula

..... Petitioner

Versus

Smt. Sunita and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Pritam Singh Saini, Advocate
for the petitioner-HSIIDC.

Mr. Shivendra Swaroop, Deputy Advocate General, Haryana
for *pro forma* respondent Nos. 2 & 3.

HARKESH MANUJA, J.

By way of present writ petition, the petitioner – Haryana State Industrial and Infrastructure Development Corporation Limited (for short “HSIIDC”) seeks quashing of order dated 03.07.2018 (**Annexure P-2**), passed by the District Revenue Officer–cum–Land Acquisition Collector, Yamuna Nagar (for short “LAC”), whereby the application under Section 28-A of the Land Acquisition Act, 1894 (for short “the Act”), filed at the instance of respondent No. 1 – landowner (Smt. Sunita), was allowed and compensation @ Rs. 30 lacs per acre has been granted; as determined, vide order dated 20.04.2015, by learned Additional District Judge, Yamuna Nagar (for short “Reference Court”).

[2] In the present writ petition, the stand taken is that the LAC should have waited for final decision of the appeal(s) filed by the State as

well as landowners before deciding various applications filed under Section 28-A of the Act.

[3] After hearing and perusing the paper-book, I find substance in submissions made on behalf of the appellant-HSIIDC.

[4] Once the assessment of market value was pending adjudication before this Court, the LAC was supposed to keep the references filed under Section 28-A of the Act, pending adjudication. Reference in this regard can be made to judgment passed by the Hon’ble Apex Court in **“Babua Ram and others Versus State of U.P. and another”**, reported as **(1995) 2 SCC 689**.

[5] In view of the above, the order dated 03.07.2018 (P-2) passed by LAC is set aside and the matter is remanded back for fresh adjudication upon consideration of the final determination of compensation made by this Court vide decision dated **12.10.2023** passed in **RFA No. 531 of 2016**, titled **“Haryana State Industrial Infrastructure Development Corporation, Panchkula Versus Gulzar Singh and others”**.

[6] The aforesaid exercise be carried out within two months from today after serving notice upon the landowners and affording opportunity of hearing to them.

[7] **Disposed off** accordingly.

October 12, 2023

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**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>