

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 23060 of 2023

Date of decision: 07.11.2023

Suraj Prakash Yadav and another
Vs.

.... Petitioners

State of Haryana and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Ravinder Chaudhary, Advocate for
Mr. Pankaj Yadav, Advocate, for the petitioner.
Mr. Deepak Sabherwal, Advocate, for HSVP.
Mr. Ankur Mittal, Addl. A.G. Punjab with
Ms. Kushaldeep Kaur, Advocate.

ARUN PALLI, J (Oral)

On 11.10.2023, a Co-ordinate Bench had passed the following order:

“Inter alia submits that in pursuance of the order dated 07.11.2013 (Annexure P-3), petitioners were required to be allotted 3 separate plots as an exception to the Rehabilitation & Resettlement Policy of the State Government dated 09.11.2010 and deduction of the area of the 3 plots was to be done from the balance land which is sought to be acquired which is stated to be around 8 acres. The respondents were also entitled to deduct the proportionate additional land utilized for the development of the sector out of the acquired land in addition to the area of the plots and the compensation was payable only for the reduced area of the acquired land. It is the case of the petitioners that after almost a decade and after protracted litigation, the allotment letter has been issued for which now a demand for each plot at the exorbitant rate of Rs.3,17,27,087/- has been made.

Mr. Deepak Sabharwal, Advocate for respondents No.2 & 3- HSVP, on having advance copy, points out that another beneficiary namely Satpal Singh has also been allotted plot No.537A, Sector 52 on the same terms. It is pointed out that the petitioners are still in possession of the area in question since there was a conditional order that they would vacate only on the allotment of plots. He accordingly prays for time to seek instructions in view of the earlier litigation. List on 18.10.2023.”

On the previous date of hearing, the matter was adjourned as we were informed that the matter is under active consideration of Chief Administrator, Haryana Shehri Vikas Pradhikaran (HSVP), and a final decision was likely to be reached in the near future.

Concededly, a formal decision in the matter has yet not been taken. And no response/counter affidavit to the petition has been filed either. However, learned counsel for the respondents submits that since the claim of the petitioners, as also their representation dated 26.08.2022 (P-11), is pending consideration before the Competent Authority, it would rather be expedient if this petition is disposed of, to enable the respondent authorities to deal therewith, in accordance with law.

Learned counsel for petitioners is agreeable to the course suggested by the learned counsel for respondents and submits that let this petition be disposed of in view of the statement made by him.

In the wake of the position sketched out above, this petition is accordingly disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the authorities shall consider/examine the matter in the right earnest. And, as undertaken by learned counsel for respondents, necessary orders in this regard shall be passed within three months from today, assigning reasons in support thereof.

Needless to assert, this order shall not constitute an expression

the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

07.11.2023
deepak

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No