

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

CWP-27912-2023

Date of decision: 20.12.2023

AMAR SINGH ALIAS KANWAR SINGH AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Divyam, Advocate for
Mr. Vikram Singh, Advocate for the petitioners.

Mr. Ankur Mittal, Addl. AG Haryana with
Mr. Saurabh Mago, DAG, Haryana.

Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep K. Manchanda, Advocate and
Mr. Shivam Garg, Advocate
for respondents No.2 to 4-HSVP.

SURESHWAR THAKUR, J. (ORAL)

1. The present petitioners become aggrieved from a declining order made on their representation (Annexure P-11), whereby, they claimed relief, that the lands be released from acquisition, thus in terms of the provisions of Section 101-A of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013.

2. A reading of the impugned order dated 01.12.2023 (Annexure P-17) reveals that therein the Competent Authority, has after making objective contemplations, to the necessity of retention or release(s) of the acquired lands, thus has concluded, that since the acquired lands are an integral component of the layout plan. Therefore, they are not amenable for being released or exempted from acquisition.

3. Since this Court in a plethora of judgments, has declared that the Acquiring Authority alone, is the repository of exercisings of an able jurisdiction, in respect of release(s) or retention(s) of the acquired lands, and that in the making of the said contemplations, the land-losers concerned, has no purposeful cause of action or to guide the Acquiring Authority, in retaining or excluding the lands from acquisition. Therefore, besides when the acquired lands, as declared in the impugned annexure dated 01.12.2023 (Annexure P-17) are but an insegregable component of the layout plan.
4. Therefore, this Court validates the impugned order dated 01.12.2023 (Annexure P-17), and, dismisses the challenge, as made thereto by the petitioners.

(SURESHWAR THAKUR)
JUDGE

20.12.2023
Ithlesh

(SUDEEPTI SHARMA)
JUDGE

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