



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

**CM-16024-CWP-2024 in/and
CWP No.6062 of 2022 (O&M)
Date of Decision :22.10.2024**

Raghubir Singh and others

.....Petitioners

Versus

State of Haryana and others

..... Respondents

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

Present : Mr. Pankaj Yadav, Advocate for the applicant-petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

Mr. P.S.Chauhan, Advocate for HSVP.

ARUN PALLI, J. (Oral):

CM-16024-CWP-2024

This is an application under Section 151 CPC seeking preponement of the next date of hearing i.e. 11.12.2024.

For the reasons set out in the application, which are duly supported by an affidavit, the same is allowed. Consequently, hearing in the writ petition, which is posted for 11.12.2024, is preponed to today, i.e. 22.10.2024.

CWP No.6062 of 2022

On 25.03.2022, this Court had passed the following order:-

“Learned counsel for the petitioners submits that petitioners No.2, 3 and 4 are the sons of petitioner No.1 who was the owner of the land at the time of issuance of the notification under Section 4 of the Land Acquisition Act, 1894, but with petitioner No.1 having transferred the land



to the names of respondents No.2 to 4 (his sons) thereafter. Consequently, they would be satisfied if the application of petitioners No.2, 3 and 4 is treated to be a single application on behalf of the father (petitioner No.1) and themselves, for allotment of the land in terms of the oustee policy, he being the owner at the time of issuance of such notification.

Notice of motion.

Mr. Pravindra Singh Chauhan, Advocate, accepts notice on behalf of the respondent-HSVP and seeks time to take instructions.

Adjourned to 18.07.2022.”

Concededly, the land owned by petitioner No.1 (Raghubir Singh) was acquired by the State Government for a public purpose. It is not in dispute either that in terms of the prevalent policy Raghubir Singh being an oustee is entitled for allotment of a suitable plot/site. Ostensibly, the reason to decline the claim of the petitioners was/is that the application for allotment was moved by sons of Raghubir Singh, though ought to have been submitted by Raghubir Singh himself being the owner at the time of issuance of notification under Section 4 of the Land Acquisition Act, 1894.

In the wake of the order dated 25.03.2022 and the factual position indicated above, learned counsel for the respondent-HSVP, as always, fairly submits that let the petition be disposed of, at this stage, to enable the respondents-authorities to re-examine the claim of the petitioner and pass suitable orders. Further, before any such orders are passed the petitioner shall be heard for which a formal communication shall be issued to him, well in advance.



In response, learned counsel for the petitioner submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that as a considerable time has already elapsed, the authorities be directed to consider the claim of the petitioner and pass appropriate orders, within a specified time.

To this, learned counsel for the respondents-HSVP submits that the competent authority shall pass the necessary orders within a period of 8 weeks from today and shall also communicate the decision to the petitioner.

In the wake of the position, as sketched out above, the 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 look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for the respondent-HSVP, assigning reasons, in support thereof.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.10.2024
Manoj Bhutani

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