

2024:PHHC:065381-DB



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

CWP-16369-2016
Date of Decision : 10.05.2024

MEHTAB SINGHPetitioner

Versus

STATE OF HARYANA AND OTHERSRespondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present : Mr. Manoj Swarup, Senior Advocate with
Mr. Rose Gupta, Advocate
Ms. Hardeep Kaur, Advocate
Ms. Garima Modi, Advocate
Ms. Yashika Walia, Advocate
for the petitioner

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Saurabh Mago, DAG, Haryana.

Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep K. Manchanda, Advocate and
Ms. Saanvi Singla, Advocate
Mr. Siddhanth Arora, Advocate
for respondent – HSIIDC.

SURESHWAR THAKUR, J. (Oral)

1. The instant writ petition became remanded by the Hon'ble Supreme Court vide order dated 20.02.2024, upon, Civil Appeal No.2858-2862 of 2024. The operative part of the said order is extracted hereinafter.

“7. In view of the above and for the reasons stated above, all the civil appeals as per para 3 of this judgment, arising out of the impugned common judgments and orders passed by the High Court of Punjab and Haryana at Chandigarh in CWP No.4015/2006 and other allied writ petitions are allowed. The impugned judgment(s) and order(s) passed by the High Court declaring that the acquisition with respect to the lands in question is deemed to have lapsed under Section 24(2)

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of the Act, 2013 is/are hereby quashed and set aside. However, the matters are remitted back to the High Court to decide and dispose of the main writ petitions afresh in accordance with law and on their own merits on other issues except the applicability of Section 24(2) of the Act, 2013. We request the High Court to finally decide and dispose of the writ petitions on remand at the earliest and preferably within a period of nine months from the date of receipt of the present order. All contentions and defences which are available to the respective parties are kept open to be considered by the High Court in accordance with law and on their own merits (except the submission of applicability of Section 24(2) of the Act, 2013).”

In such view of the matter, the appeals are allowed. Accordingly, the impugned orders stand set aside and the matters are remitted to the High Court to be decided on the issues other than the one covering the field in Indore Development Authority (supra).

No costs.”

- 2. After arguing for some time, the learned counsel for the petitioner seeks leave to withdraw the instant writ petition.
- 3. Leave granted.
- 4. Consequently, the extant writ petition is dismissed as withdrawn but with a direction to the respondent concerned, to most expeditiously finalize the allotment process under the R & R policy but subject to apposite compliances being made by the petitioner to all the relevant terms and conditions, if not already made.

(SURESHWAR THAKUR)
JUDGE

(SUKHVINDER KAUR)
JUDGE

10.05.2024
kavneet singh

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