

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7380-2017(O&M)
Date of decision: 02.05.2024

Anand Singh and another
... Petitioners
Versus
State of Haryana and others
... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Harish Mehla, Advocate, for the petitioners.
Mr. Deepak Balyan, Advocate, for the respondent(s)-HSVP.

ARUN PALLI, J. (Oral)

The petitioners have prayed for the following substantive relief:

“Civil writ petition under Articles 226/227 of the Constitution of India praying for issuance of a suitable writ, order or direction especially in the nature of mandamus directing the respondent no. 5 & 6 to allot the land measuring 1 Kanal 2 Marla in lieu of the construction (Road and Police Station) made by the respondent department on the un-acquired land of the petitioners;
It is further prayed that the respondent 5 & 6 may be directed to grant the adequate compensation to the present petitioners for the arbitrary actions resorted against the rights of the petitioner.”

The matter is pending since March, 2017. A short reply by way of affidavit on behalf of respondents No.4 to 6 had been filed. However, learned counsel for the respondent(s) submits that to address the concerns/grievances of the petitioners, the authorities had carried out the demarcation at site. And the demarcation report is pending approvals before the competent authority.
He submits that immediately post approval, and after the necessary formalities

are carried out, the appropriate orders shall be passed and communicated to the petitioners. And, in the event, it is considered necessary, the petitioners shall also be heard before passing any such orders. For which, a formal communication shall be issued well in advance.

That being so, learned counsel for the petitioners submits that let this petition be disposed of in terms of the statement made by learned counsel for the respondent(s). However, he submits the authorities be directed to pass the necessary orders within a specified time.

To which, learned counsel for the respondent(s) submits that the required orders shall be passed within a period of six weeks from today.

In the wake of the position sketched out above, and in terms of the statements made by learned counsel for the parties, the petition stands disposed of.

This Court is sanguine that the competent authority shall examine the matter in the right earnest. And pass the necessary orders within the time indicated by learned counsel for the respondents, in accordance with law.

However, in the event, the required steps are not initiated, and no formal orders addressing the concerns of the petitioners are passed, they shall be at liberty to move appropriate application in this petition itself, for restoration and appropriate orders.

(Arun Palli)
Judge

02.05.2024
Rajan

(Vikram Aggarwal)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO