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IN THE HIGH COURT OF OPUNJAB AND HARYANA
AT CHANDIGARH

-.-

CWP 24190-2024

Date of decision: 11.12.2024

Rishi Prakash and another

.....*Petitioners*

versus

State of Haryana and others

.....*Respondents*

**Coram: Hon'ble Mr. Justice G S Sandhawalia
Hon'ble Mrs. Justice Meenakshi I. Mehta**

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Present: Mr. Saajan Singla, Advocate for the petitioners
Mr. Ankur Mittal, Additional Advocate General, Haryana
Mr. Saurabh Mago, DAG, Haryana

Mr. Ankur Mittal, Advocate with
Ms Kushaldeep Kaur, Advocate for HSVP

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G.S.Sandhawalia, J. (Oral)

1. Challenge in the present writ petition is to the acquisition proceedings initiated vide notification dated 17.11.2005 (Annexure P-1) under Section 4, followed by notification dated 07.02.2006 (Annexure P-2) under Section 6 and award dated 02.03.2006 (Annexure P-3) which came to be passed under Section 11 of the Land Acquisition Act, 1894. Further, the land was stated to be comprised in khewat/jamabandi No. 155, khautoni No. 179, khasra/Killa No. 33//4/2 (old khewat/jamabandi No. 186/165, khautoni No. 254, Khasra/killla No. 33/4/2) measuring 1K-4M, situated within the revenue estate of Village Badh Khalsa, Tehsil and District Sonapat for the



purpose of development of residential, commercial and institutional Sectors 65-68 in District Sonapat.

2. Challenge is on the ground of lapsing of acquisition proceedings in terms of Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2023 with the averments that no compensation in respect of the land has been paid or deposited and mutation dated 25.07.2007 was wrongly done in favour of the HSVP on the basis of *rapat roznamcha* No. 566 dated 02.03.2006.

3. Keeping in view the award was passed way back on 02.03.2006, on the last date of hearing *i.e.* on 23.09.2024, we asked the State to file status report.

4. In pursuance thereof, status report has been filed, which would go to show that the land in question along with the original owner *namely* Dharampal and his predecessors-in-interest was having 1/5th share in khasra No. 33//4/2 (1K-4M) in village Badkhalsa and compensation for the said share, amounting to Rs.50,044/- was already lying deposited with the LAC Rohtak and the balance compensation for 4/5th share has been taken by the other co-sharers *namely* M/s High Fly Footwear Limited to the tune of Rs.2,00,179/-.

5. Thus, it is apparent that the matter is fully covered by the judgment of the Constitutional Bench rendered in '*Indore Development Authority vs Manoharlal and others*' **AIR 2020 SC 1496** as there is no violation of the conditions on the part of the respondents. Further, perusal



of Annexure R-1 would also go to show that the land of the petitioners affects the LIG Housing Scheme commercial facility as per update revised layout plan/demarcation Sector 65-68 (RGEC) Sonapat. The copy of the planning report and layout plan is also appended along with the said report as Annexure R-1.

6. Keeping in view of the above, we are of the considered opinion that no such case is made out calling for a detailed reply. In view of the peculiar facts and circumstances having not challenged the award in question by the original owner Dharampal and his predecessors-in-interest, the present petition is dismissed as such.

7. The petitioners are at liberty to withdraw their share/compensation from the authorities.

(G S Sandhawalia)
Judge

(Meenakshi I. Mehta)
Judge

December 11, 2024

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