



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CWP No.24511 of 2024  
Date of Decision: 23.09.2024

Dharam Chand  
...Petitioner

Versus

State of Haryana and others  
...Respondents

**CORAM:**    *HON'BLE MR. JUSTICE G.S. SANDHAWALIA*  
                  *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:-    Mr. Arvind Kashyap, Advocate  
                  for the petitioner.

                  Mr. Saurabh Mago, D.A.G., Haryana.

\*\*\*\*\*

**G.S. Sandhawalia, J.(Oral)**

The challenge in the present writ petition is to the order dated 27.06.2024 (Annexure P-23), whereby the petitioner's representation for denotification/release of the land under Section 101-A of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act of 2013') to the extent of 10 Biswas of land out of Khasra No.518/62/2/2 (4-19) of Hadbast No.192 falling in his share situated in Village Islam Nagar, Tehsil Kalka, District Panchkula, has been rejected.

2.            The order was passed in pursuance of the earlier directions issued by one of us (G.S. Sandhawalia, J.) on 27.01.2023 (Annexure P-20) in ***CWP No.1657 of 2023*** wherein we had given liberty as such to the petitioner to file a detailed representation keeping in view the fact that on an earlier



occasion, the matter has been dismissed on merits way back on 01.09.2009. The notification in question is dated 26.09.2007 (Annexure P-2), followed up by the notification dated 25.09.2008 (Annexure P-3) and the authorities as such have considered the case and have passed the order on 27.06.2024 (Annexure P-23) that the land, which is sought to be released, is required for the purposes of land development of 10 nos. of residential plots of 08 Marla, 07 nos. of residential plots of 10 Marla, 12 mtr. wide road and an institutional plot and therefore, releasing the land will affect the planning of the Sector.

3. In such circumstances, since the petition has to be filed on the strength of the viability and the non-essentiality as per the provision of Section 101-A of the Act of 2013 and the respondents- authorities have taken a call, we are of the considered opinion that the said order cannot, now, be considered wrong in any manner. It is for the officials of the respondents as such to see the feasibility whether the land has got an approach or not and whether it can be used for the planned development and it is not for this Court to substitute the finding of the authority as such. The limited directions had been issued on earlier occasion, which have been duly complied with and the decision has been taken. Accordingly, we do not find any plausible reason to entertain the present writ petition and the same is dismissed in *limine*.

**(G.S. SANDHAWALIA)**  
**JUDGE**

**23.09.2024**  
neetu

**(MEENAKSHI I. MEHTA)**  
**JUDGE**

*Whether speaking/reasoned: Yes*  
*Whether Reportable: No*