



156-3

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

**Civil Writ Petition No. 13349 of 2025 (O&M)
Date of Decision: 03.07.2025**

Gaya Lal and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B.S. Tewatia, Advocate,
for the petitioners.

Mr. Amit Aggarwal, Deputy Advocate General, Haryana
for the respondents.

HARKESH MANUJA, J. (ORAL)

By way of present petition, challenge has been laid to an order dated 24.02.2025 (Annexure P-3) passed by Land Acquisition Collector-cum-District Revenue Officer, Palwal, whereby reference filed under Section 64 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (**for short “the 2013 Act”**) at the instance of petitioners-landowners seeking enhancement of compensation has been dismissed.

[2] A perusal of the impugned order shows that the petition under Section 64 of the 2013 Act has been dismissed by granting liberty to the landowners-petitioners to proceed before appropriate authority or the Court. While passing the impugned order, the Land Acquisition Collector-cum-District Revenue Officer, Palwal, has failed to take into consideration the notification dated 01.05.2018 issued by Additional Chief Secretary to Govt. Haryana, Administration of Justice Department, which reads as under:-

“ *Gazette Notification*

*HARYANA GOVT GAZ(EXTRA) MAY 1, 2018(VYSK
11,1940 SAKA)*

PART

HARYANA GOVERNMENT

ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

The 1st May, 2018

No.S.O.25/C.A.30/2013/S 52/2018 – In exercise of the powers conferred by sub section (1) of Section 52 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) the Governor of Haryana hereby appoints the District Judge or his nominee in every Session division to be the Presiding Officer for the purpose of Chapter VIII of the said Act.

Sd/-

DR. S.S. PRASAD.

*Additional Chief Secretary to Government Haryana
Administration of Justice Department ”*

[3] In terms of the aforesaid notification, the reference under Section 64 of the 2013 Act is maintainable before the authority, i.e. District Judge or his nominee in every Sessions Division and thus, the Land Acquisition Collector-cum-District Revenue Officer, Palwal, was duty bound to forward the reference filed at the instance of petitioners before the aforementioned authority.

[4] In view of the above, the impugned order dated 24.02.2025 is hereby set aside and the Land Acquisition Collector-cum-District Revenue Officer, Palwal is directed to forward the reference filed at the instance of petitioner in terms of Section 64 of the 2013 Act to the concerned District

Judge being the authority in terms of Section 51 read with sub-Section (1) of Section 52 of the 2013 Act.

[5] Considering the fact that the acquisition proceedings in the present case commenced vide notification dated 18.09.2012, the needful be done by the Land Acquisition Collector concerned within four weeks from today.

[6] It is made clear that in case the order is not complied with, one-third salary of the Land Acquisition Collector shall remain attached till the compliance is made.

[7] In case of default, the petitioners would be at liberty to move an appropriate application in this regard.

[8] **Disposed off** accordingly

[9] Pending miscellaneous application(s), if any, shall also stand disposed off.

July 03, 2025
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No