

(2026) 08 P&H CK 5089
In the Punjab And Haryana At Chandigarh
Case No : CWP-1201-2026

Baljit Singh & Anr.

APPELLANT

Vs

State Of Haryana & Ors.

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Constitution of India — Article 226, 227
Land Acquisition Act — Section 4, 6
Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 — Section 101-A

Citation : (2026) 08 P&H CK 5089

Hon'ble Judges : Vikas Bahl, J; Subhas Mehla, J

Bench : Division Bench

Advocate : Mr.N.K. Malhotra, Mr. Saurabh Mago

Final Decision : Disposed Of

Judgement

VIKAS BAHL, J.(ORAL)

1. In the present writ petition, following challenges have been detailed in the head note:-

"Civil Writ Petition under Article 226/227 of Constitution of India praying issuance of the writ in the nature of certiorari for quashing the notification dated 15.12.2006 (Annexure P-2) under Section 4 and notification dated 18.10.2007 (Annexure P-3) under Section 6 of the Land Acquisition Act and all subsequent proceedings being totally illegal, arbitrary and discriminatory. The entire process and the proposals are not only contrary to the Master Plan but is also totally malafide exercise of power to benefit certain influential persons which is evidence from the facts and circumstances mentioned in the present writ petition;

AND

Also issue a writ in the nature of mandamus directing to the respondents for granting the compensation in view of the commercial rate with interest @18% per annum from the date of due of the land which was acquired of the petitioners being the land of the petitioners was acquired for purposed of road but now it has come under the commercial

purpose in view of the site plan as well as some other documents issued by the department and even otherwise till date the plot of the petitioner has not been utilized for the purpose of road by which the same was acquired.

AND

Further issue a writ in the nature of mandamus directing the respondents to release the land of the petitioners as same is lying vacant and not being used for the purpose for which it was acquired as the road has already constructed or directed to the respondents to decide the representation vide Annexure P-11 dt. 15.11.2022, in view of notification, vide Annexure P-6 dt. 24.5.2018.

AND/OR

Issue any other writ, order or direction which this Hon'ble Court may deem fit under the facts and circumstances of the present case may also be issued."

2. Learned counsel for the respondents has submitted that the notification under Section 4 was issued in the year 2006 and the notification under Section 6 was issued in the year 2007 and even the award was passed on 14.03.2008 and thus, the challenge to the notifications deserve to be dismissed on the ground of delay and laches as held by this Court in CWP-13333-2016 decided on 23.07.2026. It is submitted that no challenge has been made to the award and on the said point also, the present writ petition deserves to be dismissed.

3. Learned counsel for the petitioners has submitted that in view of the above, the petitioners would not press the prayer regarding challenge to the notifications but has submitted that his prayer with respect to release of land under Section 101-A of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 be considered by the competent authority of respondent no.1. It is submitted that for the said purpose, the petitioners have already given representation dated 15.11.2022 and the petitioners would be satisfied at this stage in case the competent authority of respondent no.1-State considers the said representation in a time bound manner.

4. Learned counsel for the respondent-State has submitted that in case the petitioners do not press challenge to the notifications and the award, then, the competent authority of respondent no.1 would consider and decides the representation within a period of four months from today and in case the said representation is found to be meritorious, then, necessary action in accordance with law would be taken as expeditiously as possible.

5. Keeping in view the above said facts and circumstances and the limited prayer made by learned counsel for the petitioners, while dismissing the challenge to the notifications under Sections 4 and 6, which were passed in the year 2006 and 2007 respectively as not pressed, a direction is given to the competent authority of respondent no.1 to consider and decide the representation dated 15.11.2022 of the petitioners on the aspect of Section 101-A of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 alone within a period of four months from today by passing a speaking order and in case the plea of the petitioners is found to be

meritorious, then, necessary action be taken in accordance with law as expeditiously as possible.

6. It is made clear that this Court has not opined on the merits of the said plea and the representation on the abovesaid aspect would be considered independently in accordance with law by the competent authority of respondent no.1.