
(2020) 08 P&H CK 0059

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 3996 Of 2017 (O&M)

Ganga Mandir

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 24-08-2020

Acts Referred:

Right to Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 — Section 24(2), 101A

Citation : (2020) 08 P&H CK 0059

Hon'ble Judges : S.Muralidhar, Avneesh Jhingan, J

Bench : Division Bench

Advocate : Yashasvi Kapila, Ankur Mittal

Final Decision : Dismissed

Judgement

Dr. S. Muralidhar, J

1. In the writ petition, the prayer for declaration of deemed lapsing of land acquisition proceedings under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('the 2013 Act') and/or for release of the land in question is required to be rejected in view of the judgment dated 6th March, 2020 of the Constitution Bench of the Supreme Court in Indore Development Authority v. Manohar Lal and others etc., AIR 2020 SC 1496.

2. Mr. Yashasvi Kapila, learned Counsel appearing for the Petitioner states that the Petitioner desires to invoke Section 101-A of 'the 2013 Act' which is a provision exclusive to the State of Haryana inserted therein by way of an amendment.

3. Accordingly the writ petition is dismissed, and the status quo order, if any, is vacated. It is clarified that if the Petitioner makes a representation invoking S. 101-A of the 2013 Act, it will be for the Respondent authorities to examine it and pass an appropriate order in accordance with law.