

(2021) 06 P&H CK 0012

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 10859, 10861, 10867, 10868, 10869, 10872, 10875, 10876, 10952, 11045, 11048, 11051, 11052, 11055, 11054, 11059, 11060, 11061, 11063 Of 2021

Narender Kumar Alias Narender Singh And Others

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 29-06-2021

Acts Referred:

Land Acquisition Act, 1894 — Section 11

Citation : (2021) 06 P&H CK 0012

Hon'ble Judges : Anil Kshetarpal, J

Bench : Single Bench

Advocate : Gaurav Aggarwal, Monisha Aggarwal

Final Decision : Disposed Of

Judgement

Anil Kshetarpal, J

1. Through this judgment, 19 writ petitions, wherein identical 4 of 6 18 Other Connected Writ Petitions relief has been sought, shall stand disposed of.

2. Through these writ petitions, the petitioners pray for issuance of a writ in the nature of Mandamus directing the respondents to pay interest in

accordance with the provisions of the Land Acquisition Act, 1894 (hereinafter referred to as ""the 1894 Act"") as also as per the provisions of the Right

to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as ""the 2013 Act"").

The petitioners claim that their land was acquired by an award passed on 21.04.2011 by the Land Acquisition Collector, Gurgaon, under Section 11 of

the 1894 Act. They further claim that although the possession was taken, however, no compensation was paid. They claim that the compensation has

been paid only in the year 2020/2021.

3. As per the 1894 Act, the Collector performs quasi-judicial functions including the determination of compensation. Section 11 of the 1894 Act

enables the collector to hold an inquiry and proceed to determine the market value of the land acquired. The Collector is also required to ensure that

the amount is either deposited or paid in accordance with the provisions of the 1894 Act.

4. It is not in dispute that the petitioners have made a representation to the Land Acquisition Collector claiming the amount of interest as noticed above

in April 2021.

5. Notice of motion.

6. On the request of the Court, Mr. Samarth Sagar, Additional Advocate General, Haryana, with Mr. Shivendra Swaroop, Assistant Advocate

General, Haryana, accepts notice on behalf of respondent No.1 5 of 6 18 Other Connected Writ Petitions and 5. Mr. Ankur Mittal, Advocate, has put

in appearance on behalf of respondent No. 2 to 4.

7. The learned counsels representing the parties are ad idem that these writ petitions can be conveniently disposed of by a common order on the very

first date of hearing.

8. In the considered view of this Court, it would be more appropriate to direct respondent No.5-Land Acquisition Collector-cum- District Revenue

Officer, Gurgaon, to decide the claim of the petitioners in accordance with the law within a period of two months from the date of receipt of a

certified copy of the order. Needless to observe that if the petitioners are still aggrieved, they shall have the liberty to challenge the order.

9. With the observations made above, all the writ petitions stand disposed of.