

ITEM NO.3            Court 5 (Video Conferencing)            SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5312/2021

(Arising out of impugned final judgment and order dated 24-08-2020  
in CWP No. 15297/2017 passed by the High Court Of Punjab & Haryana  
At Chandigarh)

DINESH KHANNA & ORS.

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.46626/2021-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT )

Date : 13-04-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Mr. Siddharth Mittal, AOR  
Mr. Prabhat Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

This petition takes exception to the  
judgment and order passed by the High Court of  
Punjab and Haryana at Chandigarh dated 24.08.2020  
in CWP No.15297 of 2017, whereby writ petition  
preferred by the petitioners for a declaration that  
the acquisition had lapsed came to be rejected.  
However, liberty is granted to the petitioners, as  
requested, to allow them to approach the Government

for release of the land by invoking Section 101-A of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013, as applicable to the State of Haryana.

Having heard learned counsel for the petitioners, we find no reason to deviate from the conclusion reached by the High Court. For, the declaration sought by the petitioners cannot be granted in the fact situation of the present case.

Nevertheless, it will be open to the petitioners to pursue remedy under Section 101-A of the 2013 Act, as applicable to the State of Haryana. The Competent Authority shall consider that application as per the governing provisions applicable to the State of Haryana and take a formal decision thereon within three months from the date of receipt of the application and communicate the same to the petitioners within the same time.

In the event, the decision is adverse to the petitioners, it will be open to them to assail the same by way of writ petition before the High Court. The Competent Authority as well as the High Court

may consider the claim of the petitioners on its own merits in accordance with law. We may not be understood to have expressed any opinion either way on the maintainability of such application or the merits thereof. All questions in that regard are left open.

This petition is disposed of in the above terms.

Pending applications, if any, stand disposed of.

(NEETU KHAJURIA)  
COURT MASTER

(VIDYA NEGI)  
COURT MASTER