

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 5440 OF 2000

HARI RAM & ANR.

Appellant (s)

VERSUS

STATE OF HARYANA & ORS.
(With office report)

Respondent(s)

WITH

Civil Appeal NO. 5442 of 2000
(With appln. for bringing on record additional documents and exemption
from filing O.T and with office report)

Civil Appeal NO. 5443 of 2000
(With appln. for exemption from filing O.T. and with office report)

Civil Appeal NO. 5444 of 2000
(With office report)

Civil Appeal NO. 5441 of 2000
(With office report)

Civil Appeal NO. 5445 of 2000
(With office report)

Civil Appeal NO. 5449 of 2000
(with office report)

Civil Appeal NO. 5446 of 2000
(With office report)

Date: 19/08/2008 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s) Mr. Harinder Mohan Singh, Adv.
In CAs.5440,5541/2000 Mr. Kaushal Yadav, Adv.
Mr. durgesh Yadav, Adv.
Mr. Manav Bajaj, Adv.

In CAs.5442,5443, Mr. R.K. Kapoor, Adv.
5449/2000 Ms. Shweta Kapoor, Adv.
Ms. Mansi Dhiman, Adv.
Mr. Anis Ahmed Khan, Adv.

CA 5440/2000 Etc....contd....(It. 101(PH), Ct. 5, Dt. 19.8.2008)

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In CAs.5444, Mr. Aseem Mehrotra, Adv.
5445/2000 Mr. Abhijat P. Medh, Adv.

In CA 5446/2000 Mr. U.S. Prasad, Adv.

For Respondent(s) Mr. Govind Goel, Adv.
Mr. T.V. George, Adv.
Mr. Kamal Kumar, Adv.

UPON hearing counsel the Court made the following
ORDER

Pursuant to our earlier order, an affidavit in reply dated June 27, 2008 has been filed in this Court on July 8, 2008 by Financial Commissioner & Principal Secretary to Government of Haryana, Town and Country Planning and Urban Estate Department, Haryana Civil Secretariat, Chandigarh. Our attention has been invited by the learned counsel for the appellants to the said affidavit.

Reading of the affidavit makes it clear that in certain cases, as contended by the learned counsel for the appellants, even after dismissal of writ petitions, relief has been granted by the State Government by releasing the land. In paragraph 3 of the said affidavit, details have been given and in paragraph 5, two other cases have also been referred to; one of Smt. Kailash Devi and the other is of Vinod Kumar. In paragraph 6, the deponent has stated that over and above, the cases set out in previous paragraphs "no other land has been released after judgment dated August 13, 1998 rendered by the High Court of Punjab & Haryana pertaining to the instant acquisition".

Learned counsel for the appellants stated that there are certain cases in which land has been released even in the present year, 2008. For the said purpose he

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CA 5440/2000 Etc....contd....(It. 101(PH),Ct. 5, Dt. 19.8.2008)

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relied on order dated April 30, 2008. Let a copy of the said order be given to the learned counsel for the State since learned counsel for the State stated that he is not aware of such order or release of property.

In paragraph 7, the deponent states as under :

"None of the petitioners sought the indulgence of the State Govt. nor any of them filed any representation."

In our opinion, it would be in the interest of justice if we keep these appeals pending by granting liberty to the appellants to make application(s)/representation(s) so as to enable the State Government to consider the cases of the appellants and to take an appropriate decision. Let such application(s)/representation(s) be made within two weeks from today. The State Government will consider them and pass an appropriate order within four weeks from making application(s)/representation(s) in the background of the facts stated and order passed/action taken.

Place the matters thereafter.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master