

ITEM NO.15

COURT NO.11

SECTION IVB

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2011  
(CC 7403/2011)  
(From the judgement and order dated 18/11/2010 in CWP No.  
11297/2009 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

BALBIR SINGH & ORS. Petitioner(s)

VERSUS

STATE OF HARYANA & ORS. Respondent(s)

With I.A.1 (C/delay in filing SLP)

Date: 02/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.Suresh C.Gupta, Adv.  
Mr.R.P.Joshi, Adv.

For Respondent(s)

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

Delay condoned.

One of the points which would require consideration is whether the State Government was justified in not releasing the land of the petitioners despite the fact that various other parcels of land situated in the vicinity were released from acquisition.

Learned counsel for the petitioners invited our attention to the averments contained at page No.12 of the writ petition filed before the High Court and the three site plans marked Annexures 9 to 11 to show that the land of the petitioners is surrounded by

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other plots which have already been released and submitted that the failure of the respondents to accord similar treatment to his clients has resulted in violation of their fundamental right to equality. Learned counsel further submitted that although the point of discrimination was very much argued before the High Court, the same has not been considered by the Division Bench of the High Court.

Issue notice on the special leave petition as also on the petitioners' prayer for interim relief, returnable in 10 weeks. Dasti, in addition, is permitted.

In the meanwhile, the parties are directed to maintain status quo as it is obtaining today. This would necessarily mean that neither party shall change the present character of the property or alienate the same to any other person in any manner whatsoever.

A copy of this order be served upon the respondents along with the notice.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master