

SECTION-IV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
INTERLOCUTORY APPLICATION NO. 15 OF 2016
(Application for directions)

IN
CIVIL APPEAL NO. 354 OF 2016

State of Haryana

...Appellant

VERSUS

Eros City Developers Pvt. Ltd. & Ors.

...Respondents

OFFICE REPORT IN DISPOSED OF MATTER

The appeal above mentioned alongwith connected matter was allowed vide Judgment and Order dated 19.01.2016. Copy of Judgment is annexed as Annexure -R1-B at page Nos. 22-35 of the application.

It is submitted that Mr. Umesh Kumar Khaitan, Counsel for the Respondent has on 09.02.2016 filed Application for directions praying therein as under:

- i. To clarify that Respondent No. 1 is not precluded from exercising its right of any under the Right Is Fair Compensation and Transparency in Land Acquisition in particular Section-24(2) thereof Rehabilitation and Resettlement Act, 2013 in accordance with law.
- ii. Grant liberty to Applicant/Respondent No. 1 to approach the High Court to seek issuance of a writ in the nature of Mandamus, directing the State of Haryana and its authorities to not take any action action under Old Act, qua the subject land as the land acquisition proceedings sought to be undertaken vide notification No. 4/60/2003-6PP dated 08.10.2003 and notification No. 4/60/2003-6PP dated 07.05.2004 issued under section 4 & 6 of the Old Act respectively have lapsed by operation of Section-24(2) of the New Act.
- iii. Direct the Appellant/State of Haryana to restore the possession of the subject land to the Applicant/Respondent No. 1 as only temporary possession was taken pursuant to the interim order dated 12.01.2016 and the Appellant must be ordered to hand back possession of the said land to the Applicant/Respondent No. 1 whereafter parties may be proceed accordance with law.

It is further submitted that Mr. Umesh Kumar Khaitan, counsel for the Respondent has on 19.02.2016 mentioned the above application before Hon'ble Chief Justice's Court when the Hon'ble Court passed the following Order :

"Post the application for direction before an appropriate Bench in the next week."

The application above-mentioned has been registered as I.A. No. 15 of 2016 and listed before the Hon'ble Court with this Office Report.

Dated this the 23rd day of February, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Dr. Monika Gusain (Advocate)
15, Lawyers Chambers, Supreme Court of India,
New Delhi
2. Mr. Umesh Kumar Khaitan (Advocate)
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3. Mr. U. S. Prasad (Advocate)
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New Delhi.
4. Mrs, Naresh Bakshi (Advocate) 28, Lawyers' Chamber,
Supreme Court of India,
New Delhi.

ASSISTANT REGISTRAR