

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.577 OF 2011

ATLAS CYCLES (HARYANA) LTD. . . . APPELLANT(S)

VERSUS

STATE OF HARYANA & ORS. . . . RESPONDENT(S)

WITH

CIVIL APPEAL NO.688 OF 2011

O R D E R

1. After hearing the arguments for quite some time we are of the view that, at the first instance, the appellant-herein should approach the respondent-authorities by making an application under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act, 2013"), *inter alia*, contending that inspite of the issuance of notification under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, "the Act, 1894"), the respondents have neither taken possession of the

disputed property nor have they paid compensation pursuant to the award made, since these disputed facts cannot be considered by this Court at this stage.

2. Shri Parag P. Tripathi, learned senior counsel would also submit that by virtue of the policy of the Government, dated 26.10.2007, the land in dispute could not have been acquired by the State Government pursuant to the notifications issued under Sections 4 and 6 of the Act, 1894. In our considered opinion, this issue, at the first instance, would required to be agitated by the appellant-herein before the respondents-authority by filing an appropriate representation/application, and it is for the respondent-authority to consider the same in accordance with law and in the light of the policy dated 26.10.2007.

3. In view the aforesaid facts and circumstances, these civil appeals are disposed of with liberty to the appellant to make an appropriate application under Section 24(2) of the Act, 2013 and

also under Section 48 of the Act, 1894, before the appropriate authority/forum within one month from today. If such an application/representation is made within one months' time from today, we request the appropriate authority/forum to consider the same in accordance with law and in accordance with the policy of the State Government, dated 26.10.2007, within three months' thereafter.

4. Interim order granted by this Court shall enure to the benefit of the appellant for a period of six months from today.

Ordered accordingly.

.....CJI.  
(H.L. DATTU)

.....J.  
(A.K. SIKRI)

.....J.  
(ARUN MISHRA)

NEW DELHI;  
FEBRUARY 26, 2015.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.835 OF 2011

ALLAHABAD BANK . . . APPELLANT(S)

VERSUS

STATE OF HARYANA & ORS. . . RESPONDENT(S)

O R D E R

1. After hearing Shri Amar Dave, learned counsel for the appellant, we are of the view that, at the first instance, the appellant-herein should approach the respondents-authority by making an application under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "the Act, 2013"), *inter alia*, contending that in spite of the issuance of notification under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, "the Act, 1894"), the respondents have neither taken possession of the disputed property nor have they paid compensation pursuant to the award made, since these disputed facts cannot be considered by this Court at this stage.

2. Shri Amar Dave, learned counsel, would also submit that by virtue of the policy of the Government, dated 26.10.2007, the land in dispute could not have been acquired by the State Government pursuant to the notification issued under Sections 4 and 6 of the Act, 1894. In our considered opinion, this issue, at the first instance, must be agitated by the appellant before the respondents-authority by filing an appropriate representation/application, and it is for the respondent-authority to consider the same in accordance with law and in the light of the policy dated 26.10.2007.

3. In view of the aforesaid facts and circumstances, the civil appeal is disposed of with liberty to the appellant-herein to make appropriate application under Section 24(2) of the Act, 2013 and also under Section 48 of the Act, 1894, before the appropriate authority/forum within one month from today. If such an application/representation is made within one months' time from today, we request the appropriate authority/forum to consider the same in

accordance with law and in accordance with the policy of the State Government, dated 26.10.2007, within three months' thereafter.

4. The interim order granted by this Court shall enure to the benefit of the appellant for a period of six months from today.

Ordered accordingly.

.....CJI.  
(H.L. DATTA)

.....J.  
(A.K. SIKRI)

.....J.  
(ARUN MISHRA)

NEW DELHI;  
FEBRUARY 26, 2015.

ITEM NO.4

COURT NO.1

SECTION IV

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

Civil Appeal No(s). 577/2011

ATLAS CYCLES (HARYANA) LTD.

Appellant(s)

VERSUS

STATE OF HARYANA &amp; ORS.

Respondent(s)

(With appln.(s) for directions and office report)  
(For final disposal)

WITH

C.A. No. 688/2011

(With appln.(s) for directions, permission to place addl.  
documents on record and Office Report)

C.A. No. 835/2011

(With prayer for interim relief and Office Report)

Date : 26/02/2015 These appeals were called  
on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Parag P. Tripathi, Sr. Adv.  
Mr. Ankur Chawla, Adv.  
Mr. Yodgesh Dhahiya, Adv.  
Ms. Meenakshi Chatterjee, Adv.  
Mr. Ashish Jha, Adv.  
For M/s. Coac

Mr. Amar Dave, Adv.  
Mr. Ashok Jain, Adv.  
Mr. Pankaj Jain, Adv.  
Mr. Bijoy Kumar Jain, Adv.

For Respondent(s) Ms. Nidhi Gupta, AAG.

Mr. Aruneshwar Gupta, Adv.  
Mr. Kamal Mohan Gupta, Adv.  
Mr. Devashish Bharuka, Adv.

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

The civil appeals are disposed of in  
terms of the signed order.

Pending application(s), if any, stand  
disposed of.

(Neetu Khajuria)  
Sr.P.A.

(Vinod Kulvi)  
Assistant Registrar

(Two signed orders are placed on the file.)