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ITEM NO.15

COURT NO.4

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 9271/2011

(From the judgement and order dated 06/10/2010 and 1/4/2011 in CWP
No.9968/2007 and RA No. 121/2011 of the HIGH COURT OF PUNJAB &
HARYANA AT CHANDIGARH)

LAL CHAND & ORS.

Petitioner(s)

VERSUS

STATE OF HARYANA & ANR

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 27/05/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
[VACATION BENCH]

For Petitioner(s) Ms. Indu Malhotra, Sr. Adv.
Ms. Anusha, Adv.
Mr. Vikas Mehta, AOR (Not present)

For Respondent(s)

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

Delay condoned.

This petition is directed against orders dated
6.10.2010 and 1.4.2011 passed by the Division Bench of
Punjab & Haryana High Court in CWP No.9968/2007 and
Review Application No.121/2011 whereby the petitioners
challenge to the acquisition of their land on the ground
of violation of Section 4 and 5A of Land Acquisition Act,
2

1894 (for short, 'the Act') was negatived.

We have heard Ms. Indu Malhotra, learned senior
counsel appearing for the petitioners and carefully
perused the record.

Two important questions which would require
consideration in this petition are whether the
acquisition was made after complying with Section 4(1) of
the Act and whether the State Government had resorted to
arbitrary discrimination in acquiring the land of the
petitioners while leaving out similar parcel of land
belonging to other persons.

Issue notice returnable in eight weeks. Dasti, in
addition, is permitted.

Issue notice on the petitioners' prayer for
interim relief returnable in eight weeks. Dasti, in
addition.

In the meanwhile, the respondents are restrained
from dispossessing the petitioners from the land in
question. The petitioners are also directed not to alter
the present character of the property or alienate the
same to any other person in any manner whatsoever.

It shall be the duty of the petitioners to serve
the respondents before the next date of hearing failing
which the interim order passed today shall stand
automatically vacated.

3

(Ravi P. Verma)
Court Master

(Phoolan Wati Arora)
Court Master