

ITEM NO.22

COURT NO.5

SECTION IVB

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

Petition(s) for Special Leave to Appeal (Civil)...../2012

(CC 10599/2012)

(From the judgement and order dated 29/09/2011 in CWP No.18452/2011 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

M/S SHAKTI IRON & GLASS INDUSTRIES

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

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

Date: 06/07/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Ms.Rashmi Jain, Adv.

For Respondent(s)

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

Delay condoned.

This petition is directed against order dated 29.09.2011 passed by the Division Bench of the Punjab and Haryana High Court whereby the writ petition filed by the petitioner for quashing the acquisition of its land was dismissed as withdrawn.

By notification dated 09.11.2012 issued under Section 4(1) of the Land Acquisition Act, 1894 (for short, 'the Act'), the Government of Haryana proposed the acquisition of 329.73 acres of land including 10 canals 4 marlas land belonging to the petitioner situated in village Sultanpur District Sonapat. The declaration under Section 6 was issued on 06.11.1993 in respect of 329.03 acres

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land. The award was passed on 05.11.1995.

Civil Writ Petition

No.18549 of 1995 filed by the petitioner questioning the

acquisition proceedings was dismissed by the Division Bench of the High Court vide order dated 18.02.1998.

After 13 years, the petitioner made representation for release of the acquired land by asserting that it was running an

industry. When the concerned authority did not entertain its

request, the petitioner filed Writ Petition No.18452 of 2011 which, as mentioned above, was dismissed as withdrawn.

We have heard learned counsel for the petitioner and perused the record.

In our view, the special leave petition is wholly misconceived and there is absolutely no warrant for entertaining the same because the petitioner had volunteered to withdraw the second writ petition.

With the above observations, the special leave petition is dismissed.

The Chief Administrator, Haryana Urban Development

Authority is directed to ensure that possession of the acquired

land is taken within a period of eight weeks from the date of

receipt of copy of this order.

We also direct that none of the functionaries of the Government of Haryana (political or executive)

shall take any action or pass any order for release of

petitioner's land by entertaining the representation which may be made hereinafter.

The Registry is directed to send copies of this order to

the Secretary, Urban Estate Department, Haryana and the Chief

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Administrator, Haryana Urban Development Authority, Panchkula.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master