

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.830 OF 2011

M/S. CHANDRA LAKSHMI SAFETY GLASS LTD. . . . APPELLANT(S)

VERSUS

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

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in C.W.P. No.3234 of 2006, dated 11.07.2006, whereby and whereunder the High Court has dismissed the writ petition filed by the appellant on the ground that the issues raised therein were identical to and thus, covered by the judgment and order passed by the High Court in Jai Prakash v. State of Haryana and Ors., C.W.P No.4300 of 2006, dated 25.05.2006.

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NEETU KHAJURIA
Date: 2015.03.11
14:02:26 IST
Reason:

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2. Shri Kamaldeep Gulati, learned counsel appearing for the appellant, would state that the factual conspectus of the instant case is not identical with the facts considered by the High Court in Jai Prakash case (supra) and therefore, the High Court has erred in following its judgment and order in Jai Prakash case (supra).

3. In view of the aforesaid submission, we are of the considered opinion that the appellant ought to

have approached the High Court by invoking its review jurisdiction before approaching this Court in this Civil Appeal. Since the appellant has not done so, in our view, that the appellant first requires to redress his grievances by filing an appropriate review petition before the High Court.

4. In that view of the matter, we now dispose of this appeal by granting liberty to the appellant, if it so desires, to file appropriate review petition within a month's time from today. If such a petition is filed, we request the High Court to consider and
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dispose of the same in accordance with law.

5. Interim order passed by this Court shall enure to the benefit of the appellant till the disposal of review petition by the High Court.

Ordered accordingly.

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

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

.....J.
(ARUN MISHRA)

NEW DELHI,
FEBRUARY 24, 2015.

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.653 OF 2011

RAVINDER APPELLANT(S)

VERSUS

STATE OF HARYANA & ORS. RESPONDENT(S)

WITH

CIVIL APPEAL NO.654 OF 2011

CIVIL APPEAL NO.700 OF 2011

CIVIL APPEAL NO.828 OF 2011
CIVIL APPEAL NO.832 OF 2011
CIVIL APPEAL NO.836 OF 2011
CIVIL APPEAL NO.886 OF 2011
CIVIL APPEAL NO.887 OF 2011
CIVIL APPEAL NO.888 OF 2011
CIVIL APPEAL NO.989 OF 2011
CIVIL APPEAL NO.990 OF 2011

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CIVIL APPEAL NO.992 OF 2011
CIVIL APPEAL NO.1006 OF 2011
CIVIL APPEAL NO.1009 OF 2011
CIVIL APPEAL NO.1014 OF 2011
CIVIL APPEAL NO.1015 OF 2011
CIVIL APPEAL NO.1017 OF 2011

AND WITH

SPECIAL LEAVE PETITION (CIVIL) NO.14408 OF 2011

O R D E R

1. Delay, in filing and refiling the special leave petition/appeal, if any, is condoned.

2. Delay in filing the application(s) for substitution, if any, is condoned.

3. Application(s) for substitution, if any, is/are allowed.

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4. Application(s) for impleadment, if any, is/are rejected.

5. In this batch of matters, involving substantially identical issues, the High Court in impugned judgment(s) and order(s) has followed its decision in Jai Prakash v. State of Haryana and

Ors., C.W.P No.4300 of 2006, dated 25.05.2006 and dismissed the writ petitions filed by the claimants. The High Court, while dismissing the matters has noticed that the aforesaid judgment and order in Jai Prakash case (supra) has been affirmed by this Court in SLP (Civil) Nos.910, 1365 and 1393 of 2007, by order dated 25.01.2007.

6. Having heard learned counsel for the parties to the lis and perused the documents on record, we are of the considered view that since the issues in this batch of matters are identical to SLP (Civil) Nos. 910, 1365 and 1393 of 2007,

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which has been dismissed by our order dated 25.01.2007, this batch of matters ought to be considered in parity with the same.

7. In light of the aforesaid observation, we do not see any good ground to interfere with the judgment(s) and order(s) passed by the High Court. Accordingly, the appeals and special leave petition are dismissed.

8. However, we grant liberty to the appellants/petitioner(s), if they so desire, to make appropriate application(s) as provided under Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, before the appropriate authority/forum/High Court for grant of appropriate relief within one month from today.

NEW DELHI,
FEBRUARY 24, 2015.

.....J.
(ARUN MISHRA)

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO.1628 OF 2011

PHOOL BATI & ORS.

..PETITIONER(S)

VERSUS

STATE OF HARYANA & ORS.

..RESPONDENT(S)

O R D E R

1. This special leave petition is directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in C.W.P. No.3337 of 1991, dated 26.06.2010.

2. In the instant case, the claimants/writ petitioners had approached the High Court challenging the notifications issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, "the Act"), dated 27.08.1987 and 25.08.1988, respectively, issued by the respondent-State to acquire certain lands belonging to the claimants for public purpose

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of development and utilization of institutional area in Gurgaon district, Haryana. The High Court has observed that firstly, the claimants had gained ownership of the disputed lands after the notification was issued under Section 4 of the Act and secondly, during the course of acquisition proceedings, the claimants had not filed objections under Section 5A of the Act before the appropriate authority and therefore, would not have the right to challenge the acquisition proceedings on grounds of

non-compliance with the procedure prescribed under Chapter VII of the Act. In light of the aforesaid, the High Court has thought it fit to dismiss the petitions filed by the claimants.

3. Aggrieved by the aforesaid dismissal, the claimants are before us in these appeals.

4. Having heard learned counsel for the parties to the lis and on perusal of the documents on record, we are of the considered view that the findings and conclusion reached by the High Court are justified and there exist no grounds to interfere with the judgment and order passed by the High Court.

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5. Accordingly, the special leave petition is dismissed.

6. However, we grant liberty to the petitioners, if they may so desire, to make appropriate application as provided under Section 48 of the Land Acquisition Act, 1894, before the appropriate authority/forum/High Court for appropriate relief within one month from today.

7. If such an application is made within one months' time from today, we request the appropriate authority/forum/High Court to consider the same in accordance with law.

8. In the meanwhile, the interim order passed by this Court shall continue to the benefit of the appellant till the application is disposed of by the authorities concerned.

Ordered accordingly.

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

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

.....J.
(ARUN MISHRA)

FEBRUARY 24, 2015.

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ITEM NO.6

COURT NO.1

SECTION IV

S U P R E M E C O U R T O F
R E C O R D O F P R O C E E D I N G S

I N D I A

Civil Appeal No(s). 830/2011

M/S CHANDRA LAKSHMI SAFETY GLASS LTD.

Appellant(s)

VERSUS

STATE OF HARYANA & ANR.

Respondent(s)

(With interim relief and office report)

WITH

C.A. No. 653/2011

(With appln.(s) for directions and Office Report)

C.A. No. 654/2011

(With appln.(s) for directions and Office Report)

C.A. No. 700/2011

(With Office Report)

C.A. No. 828/2011

(With appln.(s) for directions and appln.(s) for early hearing
and appln.(s) for permission to submit additional document(s)
and appln.(s) for exemption from filing O.T. and Interim
Relief and Office Report)

C.A. No. 832/2011

(With appln.(s) for directions and Interim Relief and Office
Report)

C.A. No. 836/2011

(With appln.(s) for directions and Interim Relief)

C.A. No. 875-876/2011

(With Office Report)

C.A. No. 886/2011

(With appln.(s) for directions and Office Report)

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C.A. No. 887/2011

(With appln.(s) for directions and Office Report)

C.A. No. 888/2011

(With appln.(s) for directions and Interim Relief and Office
Report)

C.A. No. 989/2011

(With Office Report)

C.A. No. 990/2011

(With Office Report)

C.A. No. 992/2011

(With Office Report)

C.A. No. 1006/2011

(With Office Report)

C.A. No. 1009/2011

(With Office Report)

C.A. No. 1014/2011
(With Office Report)

C.A. No. 1015/2011
(With Office Report)

C.A. No. 1017/2011
(With Office Report)

SLP(C) No. 1628/2011
(With Office Report)

SLP(C) No. 14408/2011
(With appln.(s) for c/delay in filing SLP and appln.(s) for
directions and appln.(s) for directions and Office Report)

C.A. No. 313/2012
(With Office Report)

Date : 24/02/2015 These matters were called
 on for hearing today.

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CORAM :

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

For Appellant(s) Mr. Guru Krishna Kumar, Sr. Adv.
 Mr. Satinder S. Gulati, Adv.
 Mrs. Kamaldeep Gulati, Adv.

Mr. Ranbir Singh Yadav, Adv.
Mr. P. Kakra Adv.
Mr. Puran Mal Saini, Adv.
Ms. Anzu K. Varkey, Adv.

Dr. Sukhdev Sharma, Adv.
Mr. Gian Chand Nagar, Adv.
Mr. Shubham Aggarwal, Adv.
Dr. Kailash Chand, Adv.

Mr. Jasbir Singh Malik, Adv.
Mr. S. K. Sabharwal, Adv.

Mr. R. Venkatramani, Sr. Adv.
Mr. Alok Kmar, Adv.
Mr. Amit Kr. Dadhich, Adv.
Mr. Mohan Lal Sharma, Adv.

Ms. Madhu Moolchandani, Adv. (NP)

Mr. Punit Dutt Tyagi, Adv.

For Respondent(s) Ms. Nidhi Gupta, AAG

Mr. Anil Grover, AAG
Ms. Noopur Singhal, Adv.

Dr. Kailash Chand, Adv.

Dr. Monika Gusain, Adv.

Ms. Naresh Bakshi, Adv.

Mr. Kamal Mohan Gupta, Adv.

Mr. B. S. Banthia, Adv.

Mr. Devashish Bharuka, Adv.

Mr. D.N. Goburdhan, Adv.
Mr. Prabal Bagchi, Adv.

Mr. Govind Goel, Adv.
Mr. Sanjay Kumar Yadav, Adv.
Mr. Ankit Goel, Adv.
Dr. Kailash Chand, Adv.

Mr. Prakash Kumar Singh Adv.

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

C.A. No. 875-876/2011

Detag these civil appeals from this batch of matters and be listed separately.

C.A. No. 830/2011

The civil appeal is disposed of in terms of the signed order.

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

C.A. Nos. 653/2011, 654/2011, 700/2011, 828/2011, 832/2011, 836/2011, 886/2011, 887/2011, 888/2011, 989/2011, 990/2011, 992/2011, 1006/2011, 1009/2011, 1014/2011, 1015/2011, 1017/2011 and SLP(C) No. 14408/2011

The civil appeals and special leave petition are dismissed of in terms of the signed order.

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

SLP(C) No. 1628/2011

The special leave petition is dismissed in terms of the signed order.

C.A. No. 313/2012

The civil appeal is dismissed in terms of the signed order.

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

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Four signed orders are placed on the file.)