

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 5455 of 2011
Date of decision: 28.3.2011

Kala Jyothi Process Pvt. Ltd.Petitioner

vs.

State of Haryana and anotherRespondents

**CORAM: - HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE ARVIND KUMAR**

Present: - Mr. Ashu Kaushik, Advocate
for the petitioner

HEMANT GUPTA, J

Petitioner challenges the acquisition of land measuring 500 square yards situated in the Village Choma, Tehsil and District Gurgaon intended to be acquired by the State Government by virtue of the notification under Section 4 of the Land Acquisition Act, 1894 dated 21.12.2009 (Annexure P-3). Vide the aforesaid notification, the State Government intended to acquire 69.922 acres of land for the public purpose of rehabilitation of those families whose residential houses adjoining to green belt have been acquired.

The grievance of the petitioner is that the petitioner has constructed the residential house on the said

area, therefore, the said house could not be acquired for resettlement of the earlier unsettled persons.

Having heard learned counsel for the petitioner and going through the documents produced by him, we find that the argument raised by learned counsel for the petitioner is not tenable. Firstly, the petitioner is a company and it is not the case of the petitioner that the company has constructed house for any of its Director or any other employee. The photographs (Annexure P-9) show that the construction consists of a room, useable as a store room. It is not the case of the constructed residential building which is sought to be acquired by the aforesaid notification.

In view of the said fact, we do not find that any case is made out for interference in the present petition.

Dismissed.

(HEMANT GUPTA)
JUDGE

28.3.2011

JUDGE

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(ARVIND KUMAR)