

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH JAIPUR

(1) S.B. CIVIL WRIT PETITION NO 12696 OF 2015

1. Poonam Kumari Choudhary D/o Shri Jagdish Prasad Jat, Aged about 25 years, R/o House No. 1K215, Shivaji Park, Alwar.
2. Rekha Yadav W/o Shri Pramod Yadav, Aged about 33 years, R/o Plot No. 2 Dhauli Doob, Alwar.
3. Sher Singh Yadav S/o Shri Bansi Lal Yadav, Aged about 35 years, R/o Plot No. 1 Dhauli Doob, Alwar.
4. Jamsida W/o Shri Nasir Hussain, Aged about 32 years, R/o Plot No.4 Dhauli Doob, Alwar.
5. Kamrudeen S/o Shri Chawala, Aged about 50 years, R/o Plot No. 3 Dhauli Doob, Alwar.

...Petitioners

VERSUS

1. State of Rajasthan through Chief Secretary, Govt. of Rajasthan, Jaipur, Govt. Secretariat, Jaipur.
2. Additional Chief Secretary, UDH, Govt. of Rajasthan, Govt. Secretariat, Jaipur.
3. Land Acquisition Officer, UIT, Alwar.
4. UIT, Alwar through Secretary.

....Respondents

(2) S.B. CIVIL WRIT PETITION NO 12684 OF 2015

Abdul Sakur Son of Shri Mehraj Khan, Aged about 60 years, r/o Dhauli Doob, Alwar.

...Petitioner

VERSUS

1. State of Rajasthan through Chief Secretary, Govt. of Rajasthan, Jaipur, Govt. Secretariat, Jaipur.
2. Additional Chief Secretary, UDH, Govt. of Rajasthan, Govt.

Secretariat, Jaipur.

3. Land Acquisition Officer, UIT, Alwar.

4. UIT, Alwar through Secretary.

....Respondents

(3) S.B. CIVIL WRIT PETITION NO 13099 OF 2015

1. Nirmala W/o late Shri Ajit Singh Yadav, Aged about 42 years, R/o plot no 42, Dhauli Doob, Alwar.

2. Sunita W/o Shri Naresh Yadav, Aged about 33 years, R/o Plot No. 43 Dhauli Doob, Alwar.

...Petitioners

VERSUS

1. State of Rajasthan through Chief Secretary, Govt. of Rajasthan, Jaipur, Govt. Secretariat, Jaipur.

2. Additional Chief Secretary, UDH, Govt. of Rajasthan, Govt. Secretariat, Jaipur.

3. Land Acquisition Officer, UIT, Alwar.

4. UIT, Alwar through Secretary.

....Respondents

(4) S.B. CIVIL WRIT PETITION NO.14925/2015

1. Harendra Kumar, S/o Mehar Chand by caste Jat, aged about 35 years, R/o Plot No.25, Block B, Rath Nagar, Alwar

2. Surendra Kumar, S/o Mehar Chand by caste Jat, aged about 35 years, R/o Plot No.25, Block B, Rath Nagar, Alwar

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. Land Acquisition Officer, UIT, Alwar.

-Respondents

(5) S.B. CIVIL WRIT PETITION NO 14928/2015

Dayanand Saini, S/o Rameshwar Dayal Saini, by caste Mali, aged about 41 years, R/o Plot No.63, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. Land Acquisition Officer, UIT, Alwar.

....Respondents

(6) S.B. CIVIL WRIT PETITION NO 15386/2015

Smt. Beena devi, W/o Rajesh Kumar, by caste Jangid, aged about 37 years, R/o Plot No.48B, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. Land Acquisition Officer, UIT, Alwar.

....Respondents

(7) S.B. CIVIL WRIT PETITION NO 15387/2015

1. Smt. Indu Yadav, W/o Virendra Singh Yadav, by caste Ahir, aged about 27 years, R/o Plot No. 67, Rath Nagar, Alwar.

2. Smt. Nandini Yadav, W/o Vinod Yadav, by caste Ahir, aged about 33 years, R/o Plot No. 67, Rath Nagar, Alwar

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. Land Acquisition Officer, UIT, Alwar.

....Respondents

(8)S.B. CIVIL WRIT PETITION NO 15388/2015

Daulat Ram, S/o Shri Ram Swaroop, by caste Sheduled Caste, aged about 27 years, R/o Plot No.4, Rath Nagar, Alwar(Raj.).

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. Land Acquisition Officer, UIT, Alwar.

....Respondents

(9)S.B. CIVIL WRIT PETITION NO 15390/2015

Smt. Renu Sharma, W/o Aman Sharma, by caste Brahmin, aged about 34 years, R/o Plot No.46, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(10)S.B. CIVIL WRIT PETITION NO 15485/2015

Smt. Shakuntala Devi, W/o Bhoop Singh by caste Jat, aged about 34 years, R/o Plot No.65, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(11)S.B. CIVIL WRIT PETITION NO 15486/2015

Smt. Neelam Devi, W/o Hawa Singh, by caste Jat, aged about 25 years, R/o Plot No.51B, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(12)S.B. CIVIL WRIT PETITION NO 15487/2015

Matadeen, S/o Ramkaran, by caste Jat, aged about 42 years, R/o Plot No.52, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(13)S.B. CIVIL WRIT PETITION NO 15569/2015

Smt. Sheela Devi, W/o Balbeer Choudhary, by caste Jat, aged about 34 years, R/o Plot No.64, Rath Nagar, Alwar(Raj.).

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(14)S.B. CIVIL WRIT PETITION NO 15570/2015

Bhawani Shankar, S/o Jagram Yadav, by caste Ahir, aged about 47 years, R/o Plot No.19, Rath Nagar, Alwar(Raj.).

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(15)S.B. CIVIL WRIT PETITION NO 15573/2015

1. Vijay Singh, S/o Shri Bhagwan Singh, by caste Jat, aged about 35 years, R/o Plot No.29-30, Rath Nagar, Alwar(Raj.)
2. Shiv Charan, S/o Bhagwan Singh, by caste Jat, aged about 38 years, R/o Plot No.29-30, Rath Nagar, Alwar(Raj.)

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(16)S.B. CIVIL WRIT PETITION NO 15574/2015

1. Hukam Singh, S/o Abhay Singh, by caste Ahir, aged about 24 years, R/o Plot No.63, Rath Nagar, Alwar.
2. Vikram Singh, S/o Abhay Singh, by caste Ahir, aged about 24 years, R/o Plot No.63, Rath Nagar, Alwar.

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(17)S.B. CIVIL WRIT PETITION NO 15575/2015

Smt. Patasi Devi, W/o Shri Kailash Chand Mehra, by caste

Mehra, aged about 41 years, R/o Plot No.12, Rath Nagar, Alwar (Raj.).

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(18)S.B. CIVIL WRIT PETITION NO 15576/2015

Suman Devi, W/o Naresh Yadav by caste Ahir, aged about 26 years, R/o Plot No.57 & 58, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(19)S.B. CIVIL WRIT PETITION NO 15577/2015

1. Smt. Vimla Devi, W/o Shri Vikram Singh, by caste Jat, aged about 25 years, R/o Plot No.13, Rath Nagar, Alwar(Raj.)
2. Smt. Susheela Devi, W/o Ashok Kumar, by caste Jat, aged about 23 years, R/o Plot No.13, Rath Nagar, Alwar(Raj.)

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(20)S.B. CIVIL WRIT PETITION NO 15623/2015

Sushila Devi W/o Late Shri Pat Ram, Aged about 50 years, R/o Plot No.93, Rath Nagar, Alwar (Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(21)S.B. CIVIL WRIT PETITION NO 15624/2015

Smt. Ummaid Kumari, W/o Virendra Singh, by caste Scheduled Caste, aged about 40 years, R/o Plot No.3, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(22)S.B. CIVIL WRIT PETITION NO 15625/2015

1. Rameshwar Dayal, S/o Shri Ram Pratap, by caste Ahir, aged about 40 years, R/o Plot No.14, Rath Nagar, Alwar.
2. Smt. Sushila, W/o Kanwar Pal, by caste Jat, aged about 35 years, R/o Plot No.14, Rath Nagar, Alwar.

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(23) S.B. CIVIL WRIT PETITION NO 15867/2015

Ganesh Kumar Jangir S/o Sh. Totaram Bye caste Jangir, aged about 38 years, R/o Village Balaboda, Dholidoob Chungi Naka, Behror Road, Alwar(Rajasthan)

...Petitioner

VERSUS

1. State of Rajasthan through Additional Chief Secretary, UDH, Government of Rajasthan, Secretariat, Jaipur.
2. Land Acquisition Officer, Alwar.
3. UIT, Alwar through Secretary.

....Respondents

(24) S.B. CIVIL WRIT PETITION NO 15868/2015

Tara Chand Jangir S/o Sh. Totaram Bye caste Jangir, aged about 55 years, R/o Village Balaboda, Dholidoob Chungi Naka, Behror Road, Alwar(Rajasthan)

...Petitioner

VERSUS

1. State of Rajasthan through Additional Chief Secretary, UDH, Government of Rajasthan, Secretariat, Jaipur.
2. Land Acquisition Officer, Alwar.
3. UIT, Alwar through Secretary.

....Respondents

(25) S.B. CIVIL WRIT PETITION NO 15869/2015

Jammel Ahmad S/o Late Shri Dalmir Khan, Bye caste Mev, aged about 55 years, R/o Village Balaboda, Dholidoob Chungi Naka, Behror Road, Alwar(Rajasthan)

...Petitioner

VERSUS

1. State of Rajasthan through Additional Chief Secretary, UDH, Government of Rajasthan, Secretariat, Jaipur.
2. Land Acquisition Officer, Alwar.
3. UIT, Alwar through Secretary.

....Respondents

(26) S.B. CIVIL WRIT PETITION NO 15870/2015

Abdul Jamal S/o Sh. Seetab Khan, Bye caste Mev, aged about 52 years, R/o Village Balaboda, Dholidoob Chungi Naka, Behror Road, Alwar(Rajasthan)

...Petitioner

VERSUS

1. State of Rajasthan through Additional Chief Secretary, UDH, Government of Rajasthan, Secretariat, Jaipur.
2. Land Acquisition Officer, Alwar.
3. UIT, Alwar through Secretary.

....Respondents

(27) S.B. CIVIL WRIT PETITION NO 15871/2015

Dalmod S/o Shri Akhi Khan, Bye caste Mev, aged about 85 years, R/o Village Balaboda, Dholidoob Chungi Naka, Behror Road, Alwar(Rajasthan)

...Petitioner

VERSUS

1. State of Rajasthan through Additional Chief Secretary, UDH, Government of Rajasthan, Secretariat, Jaipur.
2. Land Acquisition Officer, Alwar.
3. UIT, Alwar through Secretary.

....Respondents

(28)S.B. CIVIL WRIT PETITION NO 16218/2015

Smt. Rajbala, W/o Shri Manoj Kumar, by caste Ahir, aged about 30 years, R/o Plot No.60, Rath Nagar, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(29)S.B. CIVIL WRIT PETITION NO 16219/2015

Smt. Poonam Devi, W/o Aminchand, by caste Jat, aged about 34 years, R/o Plot No.77, Rath Nagar, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(30)S.B. CIVIL WRIT PETITION NO 16220/2015

Smt. Susheela Devi, W/o Kanhaiya Lal, by caste Jat, aged about 43 years, R/o Plot No.78, Rath Nagar, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(31)S.B. CIVIL WRIT PETITION NO 16221/2015

Smt. Sushila Devi, W/o Ghanshyam by caste Scheduled Caste, aged about 37 years, R/o Plot No.2, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(32)S.B. CIVIL WRIT PETITION NO 16222/2015

Smt. Sharmila, W/o Santlal, by caste Ahir, aged about 30 years, R/o Plot No.61, Rath Nagar, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(33)S.B. CIVIL WRIT PETITION NO 16223/2015

1. Hemraj S/o Ratiram, by caste Jat, aged about 35 years, R/o Plot No.9, Rath Nagar, Alwar.
2. Jaipal, S/o Bheem Singh, by caste Jat, aged about 30 years, R/o Plot No.10, Rath Nagar, Alwar.

...Petitioners

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(34)S.B. CIVIL WRIT PETITION NO 16224/2015

Smt. Naresh Devi, W/o Vinod Kumar, by caste Ahir, aged about 40 years, R/o Plot No.33, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(35)S.B. CIVIL WRIT PETITION NO 16947/2015

Anandi Lal S/o Shri Narayan Lal, by caste Jangid, aged around 60 years, R/o Plot No.11, Village – Dhauri doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(36)S.B. CIVIL WRIT PETITION NO 16962/2015

Smt. Chandro Devi W/o Shri Rajbeer, by caste Jat, aged around 45 years, R/o Plot No.1, Village – Dhauri Doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(37)S.B. CIVIL WRIT PETITION NO 17156/2015

Smt. Roshani Devi W/o Shri Satish Choudhary, by caste Jat, aged around 38 years, R/o Plot No.52, Village – Dhauri doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(38)S.B. CIVIL WRIT PETITION NO 17157/2015

Smt. Rajbala W/o Dayaram, by caste Jat, aged around 29 years,
R/o Plot No.29, Village – Dhauri doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(39)S.B. CIVIL WRIT PETITION NO 17158/2015

Subhash Chand S/o Shri Ramju Ram, by caste Kanjar, aged
around 40 years, R/o Plot No.27, Village – Dhauri doob, Alwar
(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(40)S.B. CIVIL WRIT PETITION NO 17159/2015

Ashok Kumar S/o Shriram, by caste Jat, aged around 38 years,
R/o Plot No.46, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(41)S.B. CIVIL WRIT PETITION NO 17160/2015

Smt. Kamlesh Devi W/o Shri Satbeer, by caste Jat, aged around 48 years, R/o Plot No.28-42, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(42)S.B. CIVIL WRIT PETITION NO 17161/2015

Smt. Lalita Devi W/o Shri Amarpal Singh, by caste Ahir, aged around 30 years, R/o Plot No.8, Village – Dhauli doob, Alwar (Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief

Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(43)S.B. CIVIL WRIT PETITION NO 17162/2015

Sunil Kumar S/o Jai Singh, by caste Jat, aged around 30 years, R/o Plot No.63, Village – Dhauri doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(44)S.B. CIVIL WRIT PETITION NO 18432/2015

Smt. Snehlata W/o Shri Rohitashv Yadav, by caste Ahir, aged around 45 years, R/o Plot No.40-41, Village – Dhauri doob, Alwar (Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(45)S.B. CIVIL WRIT PETITION NO 18433/2015

Smt. Laxmi Devi W/o Shrichand, by caste Jat, aged around 65 years, R/o Plot No.49, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(46)S.B. CIVIL WRIT PETITION NO 18434/2015

Balliram S/o Shri Ramphal, by caste Jatav, aged around 35 years, R/o Plot No.1, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(47)S.B. CIVIL WRIT PETITION NO 18435/2015

Nandlal S/o Shri Narayan Lal, by caste Jangid, aged around 50 years, R/o Plot No.14, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(48)S.B. CIVIL WRIT PETITION NO 18436/2015

Rameshwar Dayal S/o Shri Ram Pratap Yadav, by caste Ahir, aged around 38 years, R/o Plot No.11-12, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(49)S.B. CIVIL WRIT PETITION NO 18437/2015

Basant Ram S/o Shri Phoolchand Shrama, by caste Brahmin, aged around 60 years, R/o Plot No.53, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(50)S.B. CIVIL WRIT PETITION NO 18438/2015

Yogesh Kumar S/o Shri Hariram By Caste Chamaar, aged around 35 years, R/o Plot No.5, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(51)S.B. CIVIL WRIT PETITION NO.18439/2015

Anandi Lal S/o Shri Narayan Lal, by caste Jangid, aged around 60 years, R/o Plot No.27, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(52)S.B. CIVIL WRIT PETITION NO.18440/2015

Sitaram S/o Shri Jotaram, by caste Ahir, aged around 41 years, R/o Plot no, 49, village- Dhauli doob, Alwar (Raj.)

....Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwal.

.....Respondents

(53)S.B. CIVIL WRIT PETITION NO.18441/2015

Narendra Kumar S/o Shri Tarachand, by caste Bawariya, aged around 45 years, R/o Plot no, 6, village- Dhauli doob, Alwar (Raj.)

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

-Respondents

(54)S.B. CIVIL WRIT PETITION NO.18442/2015

Atar Singh S/o Shri Hazari Lal, by caste Ahir, aged around 35 years, R/o Plot no, 7, village- Dhauli doob, Alwar (Raj.)

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

-Respondents

(55)S.B. CIVIL WRIT PETITION NO.18443/2015

Kasmina w/o Idu Khan, by caste Mev, aged around 32 years, R/o Plot no, 53, village- Dhauli doob, Alwar (Raj.)

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

-Respondents

(56)S.B. CIVIL WRIT PETITION NO.18444/2015

Smt. Kripa Devi w/o Shri Ramniwas, by caste Gurjar,, aged around 32 years, R/o Plot no, 15, village- Dhauli doob, Alwar (Raj.)

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.

2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.

3. The Land Acquisition Officer, UIT, Alwar.

-Respondents

(57)S.B. CIVIL WRIT PETITION NO.18445/2015

1. Bhoop Singh, S/o Kailash Chand, by caste Ahir, aged about 24 years, R/o Plot no,3. Rath Nagar Alwar.

2. Balbeer, S/o Kailash Chand, by caste Ahir, aged about 22 years, R/o Plot no. 3, Rath Nagar, Alwar

-Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H, Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban improvement Trust Alwar represented Through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

Respondents

(58)S.B. CIVIL WRIT PETITION NO.18446/2015

Smt. Sumitra Yadav, W/o Shri Naresh Chand Yadav, by caste Ahir, aged about 43 years, R/o Plot No.2, Rath Nagar, Alwar (Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(59)S.B. CIVIL WRIT PETITION NO.18447/2015

Raghuveer Singh, S/o Kishan Lal , by caste Jatav, aged about 37 years, R/o Plot No.15, Rath Nagar, Alwar.

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(60)S.B. CIVIL WRIT PETITION NO.19681/2015

Ghanshyam S/o Shri Sohanlal, by caste Jatav, aged around 43 years, R/o Plot No.25, Village – Dhauli doob, Alwar(Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

(61)S.B. CIVIL WRIT PETITION NO.16946/2015

Smt. Ramrati Devi W/o Shri Sundar Lal, by caste Kumhar, aged about 46 years, R/o Plot No.77, Village – Dhauli doob, Alwar (Raj.)

...Petitioner

VERSUS

1. The State of Rajasthan represented through Additional Chief Secretary, U.D.H., Government of Rajasthan, Government Secretariat, Jaipur.
2. Urban Improvement Trust, Alwar represented through Secretary, UIT, Alwar.
3. The Land Acquisition Officer, UIT, Alwar.

....Respondents

DATE OF ORDER : 22/12/2016

HON'BLE MR. JUSTICE M.N. BHANDARI

Mr. R.N. Mathur, Sr. Adv. assisted by Mr. Prateek Mathur, Mr. Vaibhav Bhargava, Mr. Shovit Jhaharia, M.S. Raghav with Mr. Vishwas Saini & Mr. S.S. Ola, for Petitioners

Mr. Rajendra Prasad, AAG with Mr. Surya Pratap Singh, for the State

Mr. R.K. Mathur, Sr. Adv. with]

Mr. Aditya Mathur] for respondents

Mr. Parag Rastogi]

By this bunch of writ petitions, a challenge is made to the acquisition award dated 6th July, 2015.

For convenience, facts of CWP No.14925/2015 are taken.

Learned counsel for petitioners submit that a Notification under Section 4 of the Land Acquisition Act, 1894 (in short "**the Act of 1894**") was issued on 5th July, 2012. After the Notification aforesaid, an inquiry under Section 5(2) of the Act of 1894 was conducted. The petitioners preferred bunch of writ petitions led by Smt. Rajbala Vs. State of Rajasthan & Ors., SB Civil Writ Petition No.14351/2012, decided by this court vide order dated 27th August, 2013. The writ petitions therein were rendered infructuous and accordingly, dismissed. It was on the statement made by learned counsel for respondents that proposed acquisition has been dropped at the stage of declaration under Section 6 of the Act of 1894. After dismissal of the writ petitions on the statement made by learned counsel for respondents, acquisition award has been passed on 6th July, 2015 and is challenged herein.

Learned counsel submits that once the statement was made by the respondents about dropping of the acquisition proceedings, they could not have passed award subsequent to it. If award is allowed to stand, it would be nothing but

after getting writ petitions dismissed with mis-statement of fact before the court. If acquisition proceedings were not dropped, there was no occasion for the respondents to make statement before the court to get writ petitions of the petitioners dismissed after rendering it to be infructuous. In view of above, impugned acquisition award 6th July, 2015 may be set aside.

It is moreso when respondents have made applications to seek recall of the order passed in the bunch of writ petitions led by Smt. Rajbala (supra). The applications for recall of the order dated 27th August, 2013 have not yet been decided. Unless the order dated 27th August, 2013 is recalled, the respondents were not at liberty to proceed with the acquisition in those cases where writ petitions were dismissed after rendering it to be infructuous.

Learned counsel for petitioners further contended that there are few writ petitions where acquisition was not earlier challenged along with bunch of writ petitions led by Smt. Rajbala. In those writ petitions, a liberty may be given to file afresh. However, those writ petitions in which challenge of the acquisition was made earlier also and writ petitions were decided vide order dated 27th August, 2013, the impugned acquisition award may be set aside.

Learned Additional Advocate General Shri Rajendra Prasad, Shri R.K. Mathur, Senior Advocate assisted by Mr. Prateek Mathur and Shri Parag Rastogi for respondents have contested the writ petitions.

It is submitted that in the earlier bunch of writ petitions led by Smt. Rajbala, a challenge was made to the Notification under Section 4 of the Act of 1894 and an order was passed under Section 5(2) of the Act of 1894. Before dismissal of the writ petitions vide order dated 27th August, 2013, a declaration under Section 6 of the Act of 1894 had already been issued. In view of above, there was no reason to make statement for dropping of the acquisition proceedings. The statement aforesaid was made only in few writ petitions where construction was existing and not in all the writ petitions. It was unfortunately recorded in all the writ petitions. The respondents have already filed applications to seek recall of the order dated 27th August, 2013. The applications aforesaid are pending.

Taking into consideration the facts aforesaid and as declaration under Section 6 of the Act of 1894 had already been made, the respondents proceeded with the acquisition and passed the impugned award. It has been assailed even by the petitioners who were not in the earlier bunch of writ petitions led by Smt. Rajbala (supra). The challenge to the

award by them is not sustainable and otherwise a liberty has been sought for filing of the fresh writ petition thus atleast those writ petitions deserve to be dismissed.

It is further submitted that since the respondents have already filed application to seek recall of the order dated 27th August, 2013 and is likely to be recalled, interference in the acquisition award dated 6th July, 2015 may not be made.

I have considered the rival submissions made by the parties. Only one ground, leaving others, has been raised in those writ petitions where litigation was earlier made along with bunch of writ petitions led by Smt. Rajbala (supra). In other writ petitions, a prayer is made for withdrawal of the writ petitions with liberty to file afresh. In view of above, those writ petitions are dismissed where petitioners were not earlier in the litigation in the bunch of writ petitions led by Smt. Rajbala, however, it is with liberty to file a fresh writ petition.

In view of above, now this court is considering rest of the writ petitions in which petitioners were earlier also in the litigation in bunch of writ petitions led by Smt. Rajbala (supra) and were decided vide order dated 27th August, 2013.

The petitioners have raised many issues for challenge to the acquisition award but presently writ petitions have been pressed only on one ground.

It is stated that when earlier writ petitions were filed to challenge the Notification under Section 4 and order under Section 5(2) of the Act of 1894, it was rendered infructuous and accordingly dismissed on the statement made by the respondents about dropping of the acquisition proceedings. Once the writ petitions were dismissed on the statement of the respondents, they could not have proceeded with the acquisition. For appreciation of the argument, it would be gainful to quote the order passed by the Coordinate Bench on 27th August, 2013. It is quoted thus:

"In all these writ petitions, the primary grievance of the petitioner is against the proposed demolition of the construction by the respondents for the reasons that the land in question is sought to be acquired for Gulmohar Nagar residential scheme. All the petitioners are Khatedars of the land. The case of the petitioner is that the action of the respondents is in haste and without giving proper hearing or consideration of the objections raised by the petitioners that the land in question, is sought to be acquired and the action of demolition was sought to be taken by the respondents.

At the out set, the learned counsel for the respondents submits that the land of the petitioner so proposed for Gulmohar Nagar residential scheme, has been dropped at the stage of declaration u/s 6 of the Land Acquisition Act.

In that view of the above, nothing remains to be adjudicated in the present writ petition as the grievance of the petitioner does not subsists.

Consequently, the writ petition is dismissed as having become infructuous."

The order quoted above reveals statement by the respondents about dropping of the proceedings. It was a statement subsequent to the declaration under Section 6 of the Act of 1894. The respondents did not make statement about declaration under Section 6, rather, stated that acquisition proceedings would be dropped at the stage of declaration under Section 6 of the Act of 1894. The statement aforesaid may have been made under mistaken belief or bonafidely but unless applications for recall of the order dated 27th August, 2013 are allowed, the respondents cannot be permitted to act against their own statement. If they are permitted to proceed with the acquisition proceedings despite their statement for its dropping, it would be nothing but to allow them to act against their own statement. It has serious repercussions because writ petitions were got dismissed after rendering it to be infructuous based on the statement of the counsel appearing for the respondents and then to proceed with the case, means to mislead the court. Such a practice cannot be allowed, rather, conduct of the respondents itself is coming

out from the aforesaid. If practice adopted by the respondents is allowed then in every litigation, they may conveniently make statement favourable to the petitioners and after getting the writ petitions dismissed as rendered infructuous, will proceed in the matter adverse to the petitioners.

In the light of facts given above, the acquisition award impugned herein, cannot be allowed to sustain in reference to those petitioners who were in litigation in the earlier bunch of writ petitions led by Smt. Rajbala (supra).

In the light of the discussion made above, the acquisition award dated 6th July, 2015 is quashed qua those petitioners who were earlier in litigation in bunch of writ petitions led by Smt. Rajbala (supra). It is, however, made clear that if order dated 27th August, 2013 is recalled on the applications moved by the respondents, they would be at liberty to proceed further in accordance to law and for it, this order would not come in their way. The petitioners would, however, be at liberty to challenge the subsequent action or the award, if passed. It would be on all grounds.

The writ petitions stand disposed of with the aforesaid. A copy of this order be placed in each connected file.

[M.N.BHANDARI], J.