



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

(Sr. No.118)

**CWP No. 5337 of 2025**

**Date of decision: 21.04.2025**

**Asha Devi and others**

..... Petitioners

*Versus*

**The State of Haryana and others**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL  
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present : Mr. Rohan Moudgil, Advocate for  
Mr. Sandeep Sharma, Advocate for the petitioners.

Mr. Ankur Mittal, Addl. A. G. Haryana and  
Mr. Saurabh Mago, DAG, Haryana.

\* \* \*

**DEEPAK SIBAL, J. (Oral)**

(1) Primarily relying on the policy of the State of Haryana dated 14.09.2018, the petitioners seek release of their acquired land detailed in paragraph No.2 of the instant petition.

(2) It is not disputed that through the following paragraph of the judgment passed by a Coordinate Bench on 20.12.2024 in ***CWP No.1498 of 2019 – State of Haryana and another Vs. Nishabar Singh and others*** the aforesaid policy of the State of Haryana, on which primary reliance is placed by the petitioners, stands quashed :

*“121. Keeping in view the above discussion, we come to the conclusion that the assent given by the President under Article 254(2) was as per the procedure prescribed by the Constitution and, therefore, Section 101A is not liable to be struck down on the said ground. However, in view of the findings recorded on Ques. No.(ii), we are of the firm opinion that*



**Section 101A is liable to be struck down, suffering from the vice of manifest arbitrariness.** Similarly, the policy dated 14.09.2018, being a manifestly arbitrary policy, has been found to be non-sustainable and, therefore, under issue No.(iii), it is also struck down and it cannot sustain. Lastly, irrespective of the findings recorded above on issue No.(iv), we are of the considered opinion that the **action of the State Government in denotifying was de hors the policy at the highest level** in spite of the same being in place and, therefore, even the **action itself is liable to be struck down.**”

(3) No order by the Supreme Court staying the afore referred judgment in any challenge to *Nishabar Singh's* case (supra) by any aggrieved party has been shown to us.

(4) Dismissed.

(DEEPAK SIBAL)  
JUDGE

21.04.2025

*sunil yadav*

(HARPREET KAUR JEEWAN)  
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No