

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.513 OF 2016

(Arising out of SLP (C) No.2263/2015 @ SLP..CC 1098/2016)

LAL CHAND LOHIA & ANR. ... APPELLANT(S)

VS.

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

J U D G M E N T

ANIL R. DAVE, J.

1. Leave granted.

2. Heard the learned counsel for the appellants. In the facts of the case, we do not consider it necessary to issue notice and proceed to pass ex-parte order, with liberty to the State to move this Court, if considered necessary.

3. A big chunk of land was sought to be acquired. One part of the said land belongs to the appellants herein.

4. It has been submitted by the learned counsel appearing on behalf of the appellants that the said land is to be used for the purpose of establishment of a Medical College, though, in the Notification issued under Section 4 of the Land Acquisition Act, 1894 it was stated that the land was to be acquired for Delhi Metro Rail

Corporation Project.

5. It has also been submitted that having regard to the size of the land which is only around 1000 sq. yards, no medical college can be established. The appellants were given small plots for rehabilitation and since this aspect does not appear to have been gone into by the High Court, we set aside the impugned order and remit the matter to the High Court. The civil writ petition is restored to its original number. The High Court shall re-examine the petition and take a decision afresh.

6. The appeal is disposed of as allowed with no order as to costs. Pending application, if any, stands disposed of. It is made clear that we have not expressed any opinion on merits.

.....J.  
[ANIL R. DAVE]

JUDGMENT

.....J.  
[ADARSH KUMAR GOEL]

New Delhi;  
22<sup>nd</sup> January, 2016.