



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

CWP-28038-2025

Reserved on: 15.10.2025

Pronounced on: 28.10.2025

Tilak Raj Adlakha

....Petitioner

versus

State of Haryana and others

...Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Anand Chhibbar, Senior Advocate with
Mr. Lakhwinder Singh Sidhu, Advocate
Mr. Ateevraj Sandhu, Advocate and
Mr. Inderjeet Singh, Advocate for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana with
Mr. Pradeep Prakash Chahar, Senior DAG, Haryana and
Mr. Saurabh Mago, DAG Haryana.

DEEPAK SIBAL, J.

1. Through the instant petition the petitioner impugns notifications dated 12.06.2000 and 11.06.2001 issued respectively under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short – the 1894 Act). Also under challenge are the subsequent proceedings taken in pursuance to the afore referred notifications which include an award dated 13.08.2002 and a speaking order dated 11.01.2018 passed by the Chairman-cum-Zonal Administrator, Haryana Urban Development Authority-cum-Additional Director, Urban Estate, Faridabad. The

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petitioner further prays for issuance of a direction to the State of Haryana to release from acquisition the land, which is the subject matter of the present petition, by relying on Section 24(2) of the Right to Fair Compensation and Resettlement Act, 2013.

THE FACTS

2. The land in question measures 19 marlas and is in Khasra No.1/1 and Khasra No.1 ½, Rect. No.24, situated in the revenue estate of Ajronda, Tehsil and District Faridabad, Haryana. The said land is stated to have been purchased by the 6th respondent-Parveen Ahuja from Smt. Sushma Narchal vide sale deed dated 21.01.1992. Such land, through Mutation No.2373 dated 17.02.1992, was then mutated in the revenue record in the name of the 6th respondent.

3. Through notification dated 12.06.2000, issued under Section 4 of the 1894 Act, the State of Haryana, through its Urban Estate Department, sought to acquire land in village Ajronda, Tehsil and District Faridabad as according to the State such land was required for the development of Sectors 20-A and 20-B, Faridabad. Thereafter, under Section 6 read with Section 17 of the 1894 Act, a notification dated 11.06.2001 was issued by the State of Haryana acquiring the land covered under the aforesaid notification issued under Section 4 of the 1894 Act. Both the said notifications included the land in question.

4. The land owners, including the 6th respondent, challenged the acquisition of their lands through filing of petitions before this Court. The 6th respondent petitioned this Court through **CWP No.20012 of 2001 – Parveen Ahuja vs. The State of Haryana and another.** The



challenge to the acquisition was made by the said petitioners on various grounds all of which were rejected by a Division Bench of this Court resulting in dismissal of these petitions through judgment dated October 06, 2010. One of the grounds taken by the land owners was that of discrimination which was also considered and rejected by the Division Bench through the afore referred judgment after relying on an affidavit dated 13.07.2010 filed by the State as per which no land had been released from acquisition by the State either after the issuance of notification under Section 6 of the 1894 Act dated 11.06.2001 or after passing of the award dated 13.08.2002.

5. The land owners, including the 6th respondent, challenged the judgment of the Division Bench through filing of Special Leave Petitions before the Supreme Court. The Special Leave Petitions of the land owners other than the 6th respondent were disposed of by the Supreme Court through an order dated 02.07.2012 remitting the matter to this Court for a fresh decision as the Supreme Court was of the view that this Court had committed a serious error by not giving a reasonable opportunity to the land owners to controvert the afore referred affidavit of the State dated 13.07.2010. The 6th respondent's SLP was also permitted to be withdrawn by the Supreme Court with liberty to the 6th respondent to file an application before this Court for re-hearing of the case in view of the decision of the Supreme Court dated 02.07.2012 rendered in the case of the other land owners.

6. In terms of the liberty granted by the Supreme Court, the 6th respondent sought re-hearing by this Court of CWP No.20012 of 2001.

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The matter was reheard and disposed of by a Division Bench of this Court on 05.08.2015 granting liberty to the 6th respondent to file a detailed representation before the State seeking therein release of his acquired land. Till the 6th respondent's representation was to be decided by the State the Division Bench directed maintenance of status quo.

7. In terms of the liberty granted through order of this Court dated 05.08.2015, in September 2015, the 6th respondent filed a representation before the Administrator-cum-Additional Director Urban Estates, Faridabad seeking therein release of the land in question which representation of his was rejected through an order dated 11.01.2018 which order became the subject matter of challenge by the 6th respondent through **CWP-8812-2018 – Parveen Ahuja vs. State of Haryana and others**. When this petition came up for final hearing on 18.05.2023 before this Court, learned counsel appearing for the 6th respondent submitted that the issue raised in the said writ petition was squarely covered against the 6th respondent by a decision of the Supreme Court in **Indore Development Authority vs. Manohar Lal and others - AIR 2020 SC 1496** and on account of such fair stand taken before this Court by the learned counsel for the 6th respondent his petition was dismissed. Such dismissal attained finality.

8. Thereafter, the petitioner, through **CWP-13245-2024-Tilak Raj Adlakha versus State of Haryana and others**, claiming to be mortgagor of the land in question, knocked the doors of this Court seeking therein the same reliefs as have been claimed through the instant petition. That petition was heard by a Division Bench on

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30.05.2024 on which date learned counsel appearing for the petitioner sought and got leave to withdraw the same. However, liberty was granted to the petitioner to avail civil remedies which may be available to him, as per law. Instead of availing any remedy, in terms of the liberty granted by this Court on 30.05.2024, the petitioner filed a representation dated 15.05.2025 almost an year after such liberty was granted before the respondents through which the claim made by him was the same as had been made by him through his writ petition which had been withdrawn on 30.05.2024. Before the said representation could be decided, the petitioner on or about August 15, 2025 has approached this Court through the instant petition.

9. Learned counsel for the parties have been heard and with their able assistance the record of the case has also been perused.

DISCUSSIONS AND FINDINGS

10. The challenge to the acquisition of the land in question by the 6th respondent, who was admittedly its owner, was finally laid to rest when his petition being **CWP No.8812 of 2018 – Parveen 2018 – Parveen Ahuja vs. State of Haryana and others** was dismissed by a coordinate Bench of this Court on 18.05.2023 through passing of the following order:-

“Learned counsel for the petitioner fairly submits that as the issue involved in the present writ petition is squarely covered by a decision of the Supreme Court in Indore Development Authority Vs. Manohar Lal and others, AIR 2020 SC 1496, nothing survives in the petition and the same be disposed of accordingly.



In view of the above, and the matter being squarely covered by the decision of the Supreme Court in Indore Development Authority’s case (supra), the petition stands dismissed.

Application(s), if any, also stands disposed of.”

11. After the doors had finally been shut to the challenge made by the 6th respondent to the acquisition of his land, the petitioner, claiming himself to be the mortgagor of the land in question, propped up and sought to revive the same cause when he knocked the doors of this Court through **CWP No.13245 of 2024 – Tilak Raj Adlakha vs. State of Haryana and others**. On 30.05.2024, the petitioner’s aforesaid petition i.e. CWP No.13245 of 2024 was dismissed as withdrawn by a coordinate Bench of this Court through the following order:-

- “1. The learned counsel for the petitioner seeks leave to withdraw the present petition.*
- 2. Leave granted.*
- 3. Consequently, the extant petition is dismissed as withdrawn but with liberty to the petitioner to access all permissible civil remedies.”*

12. A perusal of the relief clauses of the petitioner’s earlier petition i.e. CWP No.13245 of 2024 and the instant petition reveals that the reliefs prayed for by the petitioner in both these petitions are identical. This fact is depicted below in a tabulated form:-

<i>Prayer in CWP No.13245-2024</i>	<i>Prayer in the present petition</i>
<i>(a)Call for and examine the records of the case;</i>	<i>(a)Call for and examine the records of the case;</i>
<i>(b)Writs in the nature of certiorari, mandamus, prohibition etc. may kindly be issued quashing the impugned Notifications dated</i>	<i>(b)Writs in the nature of certiorari, mandamus, prohibition etc. may kindly be issued quashing the impugned Notifications dated</i>



12.06.2000 (Annexure P-2) and dated 11.06.2001 (Annexure P-3) issued under Sections 4 and 6 of the Land Acquisition Act, 1894 and all subsequent proceedings taken in pursuance thereof including the Award dated 13.08.2002 and the impugned speaking order dated 11.01.2018 (Annexure P-9) passed by respondent No.3, as illegal, ultra-vires, void and without jurisdiction and further praying that the respondents may kindly be directed to release the land in question in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as the proceedings of acquisition under the Old Act i.e. the Land Acquisition Act, 1894 stands lapsed; (c) Any other writ, order or direction as this Hon'ble Court may deem fit and proper may kindly be passed in favour of the petitioner; (d) The records of the case be summoned from the respondents; (e) Issuance of advance notices to the respondents may kindly be dispensed with; (f) Filing of certified/ typed copies of Annexures be dispensed with; (g) The costs of the petition be awarded to the petitioners. It is further prayed that the dispossession of the petitioner from the land in question may kindly be stayed during the pendency of the present Civil Writ Petition before this Hon'ble Court.	12.06.2000 (Annexure P-2) and dated 11.06.2001 (Annexure P-3) issued under Sections 4 and 6 of the Land Acquisition Act, 1894 and all subsequent proceedings taken in pursuance thereof including the Award dated 13.08.2002 and the impugned speaking order dated 11.01.2018 (Annexure P-9) passed by respondent No.3, as illegal, ultra-vires, void and without jurisdiction and further praying that the respondents may kindly be directed to release the land in question in view of the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as the proceedings of acquisition under the Old Act i.e. the Land Acquisition Act, 1894 stands lapsed; (c) Any other writ, order or direction as this Hon'ble Court may deem fit and proper may kindly be passed in favour of the petitioner; (d) The records of the case be summoned from the respondents; (e) Issuance of advance notices to the respondents may kindly be dispensed with; (f) Filing of certified/ typed copies of Annexures be dispensed with; (g) The costs of the petition be awarded to the petitioners. It is further prayed that the dispossession of the petitioner from the land in question may kindly be stayed during the pendency of the present Civil Writ Petition before this Hon'ble Court.
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13. Further, even when the pleadings of CWP No.13245 of 2024 and that of the instant petition are compared, they are found to be a virtual copy. All the issues raised through the present petition, including

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the rights of the petitioner as a mortgagor which are sought to be enforced through the instant petition and placing of reliance by the petitioner on Section 73 of the Transfer of Property Act, 1882, are also found to have been specifically taken in the petitioner's earlier petition i.e. CWP No.13245 of 2024.

14. Once the petitioner's earlier petition on the same cause of action and with regard to identical reliefs as also between the same parties stood withdrawn with liberty to the petitioner only to avail his civil remedies elsewhere a second petition on the same cause and for the same reliefs, between the same parties, would not be maintainable before this Court.

15. In the light of the above discussion, we unhesitatingly conclude that the instant petition is a frivolous attempt on the petitioner's part to reopen a matter which stood finally concluded so far as this Court is concerned and therefore order dismissal of the present petition with costs which are assessed at Rs.25,000/- to be deposited with the Poor Patients Welfare Fund, PGIMER, Chandigarh.

(DEEPAK SIBAL)
JUDGE

(LAPITA BANERJI)
JUDGE

28.10.2025
gk

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No