

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

**CWP No.16312 of 1992 (O&M)
Date of decision: 19.01.2015**

Harbans Singh and othersPetitioners

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:- Mr. G.C. Dhuriwala, Advocate
for the petitioners.

None for respondents No.1 to 3.

Mr. Akshay Bhan, Senior Advocate with
Mr. Santosh Sharma, Advocate
for respondents No.4 to 6.

DEEPAK SIBAL, J (Oral).

The petitioners have approached this Court seeking to restrain the respondents from demolishing the residential houses/shops situated over khasra No.1104/1-2 situated at Sunam, District Sangrur. They have also challenged the acquisition proceedings which have resulted in the consequential demolition proceedings of their holdings.

Initially in the writ petition notifications issued under Sections 4 and 6 of the Land Acquisition Act, 1894 were not appended. The same have been appended through a subsequent civil miscellaneous application.

Today, learned counsel appearing on behalf of the petitioners seeks protection under the provisions of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, to say that the notifications under the Land Acquisition Act, 1894 which are impugned in the writ petition are deemed to have lapsed.

There is no pleading seeking for protection of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. In the absence of the same, I cannot consider this argument sought to be raised.

Faced with such a situation, learned counsel for the petitioners prays for withdrawal of the present writ petition with liberty to file a comprehensive writ on the same cause of action.

Learned counsel for the respondents has no objection to the request made on behalf of the petitioners.

In view of the above, the present writ petition is dismissed as withdrawn with liberty to the petitioners to file a comprehensive writ pleading all subsequent facts and the provisions of law which have come into being during the pendency of the writ petition.

In the peculiar facts of the case, the interim directions so given by this Court vide order dated 11.12.1992 will continue to operate for a period of 10 days from today.

(DEEPAK SIBAL)
JUDGE

January 19, 2015

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