

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

CWP No.12078 of 2014(O&M)

Date of decision:21.9.2015

Raghubir Chand

....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. Ashwani Kumar Bura, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana
for respondents No.1 and 4.

Mr. R.S. Longia, Advocate
for respondents No.2 and 3.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to the notification 03.01.1977 under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') intending to acquire land measuring 20 acres and 19 marlas. The said notification was followed by notification dated 22.05.1978 under Section 6 of the Act. The award in respect of the aforesaid land was announced on 27.02.1986.

The petitioner claims to be purchaser of land as per the sale deed dated 09.06.1983 whereby the petitioner purchased the entire 1/3rd share of Gopala and Punna sons of Munshi of the total land measuring 4 kanals 14 marlas. The said sale is after publication of the notification

under Section 4 and 6 of the Act but before announcing of the award on 27.02.1986.

A Division Bench of this Court in CWP No.4516 of 2014 titled M/s Vardaraj Buildcon Pvt. Ltd. and others v. State of Haryana and others, decided on 10.09.2015, examined the right of subsequent vendee to challenge the acquisition under the Land Acquisition Act, 1894. In the said judgment, it has been held that a subsequent vendee has no right to challenge acquisition under the Act.

In view of the aforesaid judgment, we do not find any merit in the present writ petition.

Dismissed.

(HEMANT GUPTA)
JUDGE

SEPTEMBER 21, 2015
'D. Gulati'

(RAJ RAHUL GARG)
JUDGE