

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

**CWP No. 17204 of 2014
Decided on : 17.03.2015**

Raj Karan and another

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE REKHA MITTAL**

PRESENT: Mr. Sanjay Vashisth, Advocate for the petitioners.

Mr. Sudeep Mahajan, Addl. AG, Haryana
for respondents No.1 and 4.

Ms. Anita Balyan, Advocate for
Mr. Deepak Balyan, Advocate and
Mr. Rishi Pal, Advocate for
Mr. Partap Singh, Advocate
for respondents No.2 and 3.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India laying challenge to notifications dated 9th March, 2004 (Annexure P-3) issued under Section 4 of the Land Acquisition Act, 1894 (for brevity 'the Act'), which was followed by notification dated 31st May, 2005 (Annexure P-4) issued under Section 6 of the Act. The challenge has also been made to award dated 13th September, 2006 (Annexure P-5).

2. The challenge has been made on the ground that the notification under Section 6 (Annexure P-4) of the Act dated 31st May, 2005, was issued beyond the period of one year as prescribed under Section 6 of the Act, as notification under Section 4 was issued on 9th March, 2004 (Annexure P-3). Reliance was placed upon decision of this Court rendered

in **CWP No. 984 of 2007**, titled as “**Harpal Singh Vs. State of Haryana**

and others” and **CWP No. 246 of 2007**, titled as **“Harpal Singh and others Vs. State of Haryana and others”**, both decided by common order dated **February 06, 2014**, whereby, notifications impugned herein were quashed by this Court.

3. Learned counsel appearing on behalf of the respondents did not dispute that the notification under Section 6 of the Act was issued beyond a period of one year as prescribed in the Act. However, it was urged that since the notifications dated 9th March, 2004 (Annexure P-3) and 31st May, 2005 (Annexure P-4), issued under Sections 4 and 6 of the Act respectively, have been quashed, therefore, the instant writ petition does not survive any longer.

4. In view of the statement made by learned counsel for the respondents, whereby, it is not disputed that the notifications dated 9th March, 2004 (Annexure P-3) and 31st May, 2005 (Annexure P-4), issued under Sections 4 and 6 of the Act, have been quashed, the present writ petition has been rendered infructuous and stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(REKHA MITTAL)
JUDGE

March 17, 2015

J.Ram