

Civil Revision No.7942 of 2015

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.7942 of 2015
Date of Decision: May 30th, 2016

Amrik Singh

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Harpreet Dandiwal, Advocate,
for the petitioner.

Mr.D.K.Mittal, DAG, Haryana,
for the State.

AMIT RAWAL, J. (Oral)

Petitioner-plaintiff is aggrieved of the dismissal of the application seeking amendment of the plaint to incorporate the prayer clause for challenging the award alleged to have been passed as a consequence of acquisition proceedings initiated under the Land Acquisition Act, 1894.

Mr.Harpreet Dandiwal, learned counsel for the petitioner-

plaintiff submits that in identical suit, similar application was dismissed,

but this Court allowed the same.

Mr.D.K.Mittal, learned DAG, Haryana appearing for the State submits that the relief cannot be permitted to be incorporated as the suit for challenging the acquisition proceedings is not maintainable. In support of his contention, relies upon the judgment rendered by the Hon'ble Supreme Court in **Laxmi Chand and others Versus Gram Panchayat, Kararia and others, (1996) 7 Supreme Court Cases 218.**

I have heard the leaned counsel for the parties and appraised the paper book and of the view that the law laid down by the Hon'ble Supreme Court in **Laxmi Chand's case (supra)**, squarely applies to the instant case. Even if in identical proceedings, similar application has been filed and dismissed and this Court granted the prayer, but the fact remains that this Court cannot remain oblivious of the fact with regard to the settled proposition of law that for maintainability of the suit for challenging the acquisition proceedings, the remedy lies elsewhere.

For the foregoing reasons, there is no merit in the revision petition. The same is accordingly dismissed.

May 30th, 2016
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(AMIT RAWAL)
JUDGE