

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

CR No.8256 of 2016 (O&M)

Date of decision:21.12.2016

Arjan Singh and others

... Petitioners

Vs.

Roshan Lal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Ramesh Sharma, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

C.M.No.25982-CIL-2016

The application is allowed, subject to all just exceptions.

Document, agreement to sell dated 26.12.1983 (Annexure P-4) is taken on record.

CR No.8256 of 2016 (O&M)

The petitioners are agreement holders dated 26.12.1983 from the original landowners. However, during the interregnum, the land stood acquired.

Mr. Ramesh Sharma, learned counsel for the petitioners submits that since the land stood acquired, he would not have remedy to seek specific performance but right to seek refund cannot be taken away. It is in this background of the matter, the application for impleadment was moved but the same has erroneously been dismissed. Even the petition

under Section 30 of the Land Acquisition Act, 1894 (hereinafter referred to as “1894 Act”) has also been disposed of.

I am of the view that revision against the impugned order is not maintainable. Remedy would be to file an appeal as the proceeding initiated under Section 30 of 1894 Act, is appealable by taking leave of the Court.

With the aforementioned observations, the revision petition stands disposed of with liberty to avail the remedy indicated above.

(AMIT RAWAL)
JUDGE

December 21, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No