

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.13242 of 2016 (O&M)

Date of Decision: 11.07.2016

Kamla Devi & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE DARSHAN SINGH

Present: Mr. Chand Deep Jindal, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners are residents of village Manakpur Nankchand, Tehsil Kalka, District Panchkula. They have laid challenge to the notifications dated 30.11.2006 & 28.11.2007 (P2 & P3, respectively) issued under Section 4&6 of the Land Acquisition Act, 1894 (in short, 'the 1894 Act') in respect of the acquisition of their land. The acquisition has been challenged primarily on the ground of discrimination as acquisition *qua* other land-owners has been quashed by Hon'ble Supreme Court in part vide judgment dated 07.08.2013 passed in Civil Appeal No.6668-6669 of 2013 and Civil Appeal No.6672, 6673-6676 of 2013 (P5).

(2) The petitioners have chosen to approach this Court almost after four years of the judgement by the Hon'ble Supreme Court. There are vague and evasive averments in the writ petition as nothing has been disclosed regarding existence of residential house, and if so, when was it constructed. In these circumstances, we dispose of the writ petition without expressing any views on merit but with liberty to the petitioner(s) to submit comprehensive representation(s) to respondents No.2&3 along with supporting material which may be considered and disposed of keeping in

view the principles laid down by the Hon'ble Supreme Court in the above-cited cases.

(3) Ordered accordingly.

(Surya Kant)
Judge

11.07.2016
vishal shonkar

(Darshan Singh)
Judge