

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15281-2016

Date of Decision: August 01, 2016

Inder Singh and others

.....Petitioners

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.R.S.Manhas, Advocate
for the petitioners.

.....

SURYA KANT, J.

The land of the petitioners was acquired under the provisions of Requisitioning and Acquisition of Immovable Property Act, 1952 (for short, 'the 1952 Act'), and the Award to this effect was passed on 30.03.1987. Aggrieved against the rate of compensation, some land owners approached this Court and their compensation was enhanced vide order dated 03.08.2009. The petitioners did nothing except to sleep over the matter. It is in the year 2016 only that they woke up to claim the same amount of compensation as was granted to similarly placed land owners on the ground that the previous decision of this Court is applicable to those land owners also who had filed the appeals.

We have heard learned counsel for the petitioners.

Neither a provision like Section 28A of the Land Acquisition

Act, 1894 is traceable under the 1952 Act nor the benefit admissible under Section 28A can be granted to the petitioners at this belated stage. The petitioners themselves allowed the grass to grow under their feet and leisurely thought to seek enhancement in compensation much after the other land owners who tirelessly availed the legal remedies and have succeeded before this Court. At this stage, when the execution of Award or decree passed in the year 1987 would be barred under the law of Limitation, it is not possible for this Court to enhance the compensation at par with other land owners.

Dismissed.

(SURYA KANT)
JUDGE

August 01, 2016
meenu

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned
Whether Reportable

: Yes/No
: Yes/No