

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22435 of 2013 (O&M)

Date of Decision: 27.07.2016

Nirmal Singh & Ors.

... Appellants

VS.

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE DARSHAN SINGH**

- | | |
|--|-----------------|
| 1. Whether speaking/reasoned? | Yes / No |
| 2. Whether reportable? | Yes / No |
| 3. Whether Reporters of local papers may be allowed to see the judgment? | Yes / No |
| 4. To be referred to the Reporters or not? | Yes / No |
| 5. Whether the judgment should be reported in the Digest? | Yes / No |

Present: Mr. Sandeep Punchhi, Advocate for the petitioners

Mr. Rajesh Bhardwaj, Addl. AG Punjab

Mr. RS Khosla, Senior Advocate with
Mr. Sarvesh Malik, Advocate for GMADA

SURYA KANT, J. (Oral)

(1) The petitioners are residents of village Ballo Majra, Tehsil & District SAS Nagar. Their grievance is against the notification dated 10.09.2013 issued under Section 4 read with Section 17 of the Land Acquisition Act, 1894 (in short, 'the 1894 Act'), invoking urgency clause and thereby depriving them from their right to file objections under Section 5A of the Act. It is mentioned in the acquisition notification that the land was acquired to construct a slip-road for a private builder whose project was adjoining to NH-21.

(2) Learned counsel for the petitioners states that during the pendency of the writ petition most of their land has been acquired by the National Highway Authority of India (NHAI) for construction of an over-bridge on NH-21 and hardly 1 kanal 13 marla land is left.

(3) Since the very purpose of challenging the acquisition has been frustrated, learned counsel for the petitioners does not press this petition at this stage. The writ petition is accordingly disposed of as not pressed though with liberty to the petitioners to agitate the matter before the authorities.

(4) With liberty afore-mentioned, the writ petition is disposed of.

(Surya Kant)
Judge

27.07.2016
vishal shonkar

(Darshan Singh)
Judge