

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

CWP No.2943 of 2015

Date of decision: August 31, 2016

Harpreet Kaur

.....Petitioner

Versus

Bathinda Improvement Trust, Bathinda and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mr. Ashish Verma, Advocate
for the petitioner.

Mr. Salil Sagar, Senior Advocate with
Mr. Samrath Sagar, Advocate
for the respondent No.1.

Mr. Rajesh Bhardwaj, Addl. AG Punjab.

A.B. CHAUDHARI, J

In the present writ petition, filed on 13.02.2015, the petitioner has raised challenge to Annexure P-7 dated 04.02.1984, Annexure P-8 dated 09.03.1984 and Annexure P-9 dated 28.01.1987 in the land acquisition proceedings which were initiated and completed at the behest of Bathinda Improvement Trust, Bathinda upon making an award on 23.12.1988.

The Bathinda Improvement Trust, Bathinda had published notification under Section 36 of the Punjab Town Improvement Act, 1922 (hereinafter referred to as 'Act') on 04.02.1984 and notification Section 42 of the Act on 28.01.1987 in respect of acquisition proceedings in the scheme known as 16.44 acres between Panj Rattan Hotel and Sirhind Canal on Goniana Road. The acquisition proceedings as above were challenged in various writ petitions before the learned Single Judge of this Court who had vide judgment dated 20.10.1989 set aside the acquisition of land. That

judgment was challenged in the Letters Patent Appeals by the Trust in the year 1989 itself and the appeals were decided by this Court on 02.04.2012. The Apex Court vide order dated 08.02.2013 had set aside the above judgments in Letters Patent Appeals and remitted all the matters to this Court for fresh consideration by leaving all the questions open.

Thereafter, the Letters Patent Appeals and some writ petitions were listed before the LPA Court for final hearing from time to time. The petitioner filed her petition in this Court on 13.02.2015 after all the above events had occurred, challenging the acquisition proceedings as stated earlier. The ground that is raised for explaining the delay is stated in Para-18 of the petition. It is stated therein that the petitioner could not file the petition earlier as she was not aware about the pendency of the identical writ petitions and because several identical orders are pending in this Court.

In our considered opinion, the present writ petition was filed in the year 2015 after the Apex Court order of remand in relation to the acquisition proceedings of the year 1984. Neither the explanation given in Para-18 is acceptable nor the petition can be entertained at such a late stage. The petition is clearly not maintainable and will have to be dismissed.

In the result, we make the following order:-

ORDER

CWP No.2943 of 2015 stands dismissed.

(SURYA KANT)
JUDGE

(A.B. CHAUDHARI)
JUDGE

August 31, 2016
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No