

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

CWP No. 11175 of 1994 (O&M)

Date of decision: 19.1.2017

Municipality, Jind

.. Petitioner

VS

The Tribunal, Improvement Trust and another

..Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Mr. Mukesh Verma, Advocate for
Mr. Ashish Gupta, Advocate, for the petitioner.
Mr. Ankur Mittal, Additional Advocate General, Haryana.

Rajesh Bindal, J.

Challenge in the present petition is to the award dated 10.10.1988 passed by the Tribunal, Improvement Trust, Jind (for short, 'the Tribunal'). The award pertained to the acquisition of land for development of Scheme No.6. Notification under Section 36 of the Punjab Town Improvement Act, 1922 was issued on 3.11.1971. Challenge is to the extent of grant of statutory benefits under the amended provisions of the Land Acquisition Act, 1894.

Learned counsel for the petitioner submitted that the issue raised in the present petition is squarely covered by order dated 3.12.2013 passed by this Court in CWP No.11186 of 1994-- Municipality, Jind vs. The Tribunal, Improvement Trust and others.

In view of the fair stand taken by learned counsel for the petitioner, the present petition is disposed of in terms thereof. However, it is

clarified that the award dated 10.10.1988 passed by the Tribunal having been challenged by filing of writ petition more than six years thereafter and the acquisition was pertaining to the year 1971, if any amount has already been paid to the landowners in terms of the award, the same shall not be recovered.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

19.1.2017
sharmila

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No