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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 09.05.2017

1.

CWP-18706-1996

Darshan Singh Rai and others

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

2.

CWP-19016-1996

Prem Singh and others

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Mahavir Sandhu, Advocate
for the petitioners in CWP No.18706 of 1996.

Mr. Fateh Saini, Advocate for
Mr. Vikram Jain, Advocate
for the petitioners in CWP No.19016 of 1996.

Mr. Indresh Goel, Addl. A.G., Haryana.

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of two writ petitions bearing

CWP No.18706 of 1996 titled as **“Darshan Singh Rai and others V/s**

State of Haryana and others” and **CWP No.19016 of 1996** titled as **“Prem**

Singh and others V/s State of Haryana and others”.

The grievance of the petitioners in both the petitions is owing to the promulgation of the Notifications issued under the provisions of Punjab Land Preservation Act, 1900 (for short 'the 1900 Act').

Learned counsel appearing on behalf of the petitioners submits that notifications under Sections 4 & 5 of the 1900 Act had been issued from time to time i.e. on 03.02.1978, 24.03.1989 and 09.02.1996. The tenure of the Notification bringing the area under its ambit was 15 years.

Keeping in view the aforementioned facts, I am of the view that concededly, the period of 15 years is over. In case the new Notification would have come, the petitioners would have definitely filed the fresh writ petitions or seek the amendment of the same. Having not approached the counsel for the petitioners, it appears that the State Government has not come with the new notification bringing the aforementioned area under its ambit.

Resultantly, the grievance of the petitioners sought to be vindicated in petitions, has been rendered infructuous, much less, no cause of action survives in both the writ petitions.

Disposed of accordingly.

09.05.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No