

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

CWP No.1126 of 2016 (O&M)

Date of decision : 9.11.2017

Ved Parkash and others

.. Petitioners

versus

The State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill**

Present: Mr. Vikram Singh, Advocate and
Mr. Hardeep Singh Dhillon, Advocate, for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana with
Mr. Manoj Dhankhar, Assistant Advocate General, Haryana.

Mr. Lokesh Sinhal, Advocate, for HSIIDC/respondent No.3.

Rajesh Bindal, J.

The petitioners have approached this Court praying for quashing of acquisition of land, where notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short 'the Act'), were issued on 11.7.2006 and 16.7.2007, respectively. Award was announced by the Land Acquisition Collector (for short 'the Collector') on 23.6.2009.

The petitioners claimed that they are the owners of 1,350 square yards of land forming part of khasra No.3044. While challenging the acquisition, learned counsel for the petitioners raised plea of discrimination claiming that a large chunk of land, where no construction existed was released from acquisition, even after award was announced by the Collector.

Learned counsel for the respondents submitted that no objections under Section 5-A of the Act were filed by the petitioners. As regards compensation for the acquired land is concerned, there being dispute of apportionment/ownership, the same was deposited with the Court

on 3.1.2011. Further it was submitted that there is a delay of more than six years in filing the present petition. Hence, the petitioners do not have any locus to challenge the present acquisition.

After hearing learned counsel for the parties, we do not find any merit in the present petition.

Admittedly the present petition has been filed after the period of six years after the award was announced by the Collector on 23.6.2009. The petitioners did not file objections under Section 5-A of the Act. Further even compensation for the acquired land was deposited by the Collector with the Court on 3.1.2011. The plot was lying vacant at the time of issuance of notification under Section 4 of the Act and even now.

For the reasons mentioned above, the present petition is dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

9.11.2017
sharmila

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