

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

**CWP No.14757 of 2017 (O&M)
Date of Decision:- July 12, 2017**

Amar Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurminder Singh Gill**

Present:- Mr. Avtar Singh Bhatti, Advocate, for the petitioners.

Rajesh Bindal, J.

The petitioners have approached this Court praying for a declaration that the acquisition of land owned by the petitioners has lapsed in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short “the 2013 Act”). In the case in hand, notification under Section 36 of the Punjab Town Improvement Act, 1922 (for short “the Act”) was issued on 02.07.1976. It was followed by notification under Section 42 of the Act on 28.06.1979. The Land Acquisition Collector announced the award on 04.08.1981. The claim sought to be made by the petitioners is that they are still in possession of land, though the compensation has been received by them. In support of the plea that the petitioners are in possession of the land, photographs have been annexed as Annexure P-4. A perusal of the photographs shows that the land is

lying vacant along with road. On that basis, the petitioners cannot claim that they are in possession of the land, merely because it has not yet been utilised by the authority after acquisition and the payment of compensation for the acquired land has already been received by the petitioners. We do not find that the case is made out for revocation of Section 24(2) of the 2013 Act.

The writ petition is accordingly dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

July 12, 2017
pankaj

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No