

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26730 of 2015 (O&M)
Date of decision: 25.7.2017

Neeraj Kumar and another

.. Petitioners

v.

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajbir Singh, Advocate for the petitioners.

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

Rajesh Bindal J.

The petitioners have filed the present petition challenging the notifications dated 13.8.2001 and 9.8.2002 issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (for short, 'the Act'), respectively claiming that acquisition proceedings were quashed by this court.

Vide notification dated 13.8.2001, issued under Section 4 of the Act, State of Haryana sought to acquire the land, situated in village Chakkarpur, District Gurugram for residential and commercial Sector 28 at Gurugram. The same was followed by notification dated 9.8.2002, issued under Section 6 of the Act. The Land Acquisition Collector announced the award on 3.8.2004.

Learned counsel for the State, on instructions from Satish Yadav, Land Acquisition Collector, Gurugram fairly submitted that in view of the judgment of this Court in CWP No. 5878 of 2003—Amita Banta and another v. State of Haryana and others, challenging the same acquisition, which was allowed on 8.12.2009, quashing the acquisition in question, no cause of action survives to the petitioners to challenge the same acquisition again. The aforesaid judgment of this court was upheld by Hon'ble the Supreme Court with dismissal of Petition for Special Leave to Appeal (Civil) No(s). 13370 of 2010—State of Haryana and another v. Amita Banta and others, decided on 4.10.2013.

In view of the fair stand taken by learned counsel for the State, nothing survives in the present petition. The same is, accordingly, dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

25.7.2017
mk

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