

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22788 of 2017 (O&M)

Date of Decision:- 6.10.2017

Harinder Saini and another

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present:- Mr. Manoj Kaushik, Advocate for the petitioners.

Rajesh Bindal, J.

The petitioners have approached this Court claiming that the acquisition of land has lapsed in view of provisions 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'). The notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 were issued on 3.7.1995 and 2.7.1996, respectively. The award was announced by the Land Acquisition Collector on 29.6.1998. It is not in dispute that the amount of compensation was received by the predecessor-in-interest of the petitioners, after the award was announced by the Collector. The claim is sought to be made on the ground that the petitioners are still in possession of the land in dispute. In support, copies of electricity bills have been annexed, which pertain to the period from December 2015 onwards. The photographs placed on record suggest that the petitioners are merely tying their cattles on some part of the land, which may have been acquired. That cannot be said to be a material fact to show that the petitioners are continuing in possession of the

acquired land, ever since the same was acquired. They may have taken the possession thereof recently as is evident from the electricity bills annexed with the petition. The object may be only to claim lapsing of acquisition in view of enactment of the 2013 Act.

For the reasons mentioned above, we do not find any merit in the present petition and the same is accordingly dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

6.10.2017
pankaj

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