

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

**CWP No. 27101 of 2016 (O&M)**

Date of decision : 9.11.2017

Ram Kumar and another

.. 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.

                  It is claimed by the petitioners that they had purchased 700 square yards and 1838 squares yards of plots forming part of khasra No.3260 and 3261 and had constructed boundary wall thereon prior to the acquisition of land. Earlier the petitioners have filed CWP No.6258 of 2014 -Savita Rani and another vs. The State of Haryana and others, which was disposed of on 1.4.2014 directing the State to consider the claim of the petitioners. The same was rejected vide order dated 3.8.2015. Plea of discrimination was raised alleging land of other landowners, who were similarly placed had been released.

Definite stand taken by respondents is that there was no construction when the land was acquired and even now it is lying vacant. No objections under Section 5-A of the Act were filed by the petitioners. It was further submitted that the present petition deserves to be dismissed being highly belated. Award in the present case was announced on 23.6.2009 and the present petition was filed after more than five years. It was further submitted that there being dispute regarding claim for compensation, it was deposited with the Court on 3.1.2011.

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 a period of more than five 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.

Considering the aforesaid facts, there is no merit in the present petition. Accordingly the present petition is dismissed.

(Rajesh Bindal)  
Judge

(Gurvinder Singh Gill)  
Judge

9.11.2017  
sharmila

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