

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 27446 of 2016 (O&M)
Date of decision: 8.3.2017

Ranbir Singh Bura and others

.. Petitioners

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. M. L. Sharma, Advocate for the petitioners.

...

Rajesh Bindal J.

The petitioners have approached this court challenging the acquisition of land, where notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 were issued on 6.5.1992 and 5.5.1993, respectively.

The ground of challenge is that in terms of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 (for short, 'the Act'), the acquisition proceedings have lapsed, as possession of the land is still with the petitioners, though they have received the amount of compensation.

On 9.1.2017, the case was adjourned on request of counsel for the petitioners to file affidavit stating that the petitioners are still in actual physical possession of the acquired land. In pursuance thereto, though affidavits have been filed, however, photographs attached with that establish that the land is lying *barren* in partially developed colony, which

cannot be said to be in actual physical possession of the petitioners, as the petitioners have not claimed that either they have raised construction or are cultivating the same.

As none of the conditions laid down in Section 24(2) of the Act have been satisfied, there is no ground to entertain the petition. Accordingly, the same is dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

8.3.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No