

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

CWP No.24485 of 2017 (O&M)

Date of Decision:- 30.10.2017

Padma Devi Surana and others

... Petitioners

Versus

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.

Rajesh Bindal, J.

The petitioners have approached this court with a prayer that the acquisition of land, owned by them, 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 8.8.2003 and 20.1.2004, respectively. Award was announced by the Land Acquisition Collector on 19.1.2006.

There is nothing stated in the petition that the petitioners have not received the amount of compensation. The only ground sought to be raised is that the petitioners are in actual physical possession of the land and in support of this, photograph has been annexed as Annexure P-4, which clearly shows that the site in question is nothing more than a place where

wild growth of plantation is there. It cannot be said to be in possession of the petitioners. As the petitioners do not satisfy any of the conditions laid down under Section 24(2) of the 2013 Act, we do not find that the case has been made out for declaration that the acquisition has lapsed.

For the reasons mentioned above, the writ petition is dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

October 30, 2017
mohan

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