

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

CWP No. 8028 of 2015 (O&M)

Date of decision: 21.3.2017

Dr. Vijay Laxmi Pandit and another

.. Petitioners

vs

Union Territory of Chandigarh and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: None for the petitioners.

Mr. Sanjeev Sharma, Senior Advocate with
Mr. Dushyant Sarvesh and Mr. Shekhar Verma, Advocates,
for Chandigarh Administration.

Ms. Deepali Puri, Advocate, for MC Chandigarh.

Rajesh Bindal, J.

Challenge in the present petition is to the acquisition of land where notification under Sections 4 and 6 of the Land Acquisition Act, 1894, were issued on 1.10.2002 and 29.9.2003, situated in revenue estate of Manimajra, Hadbast No. 375, U.T. Chandigarh.

Learned counsel for the respondents submitted that identical issue, namely, the competence of the Advisor to the Administrator to initiate acquisition proceedings, has been gone into by a Division Bench of this Court in CWP No. 22803 of 2015 Vimla Devi and another vs UT Chandigarh and others, and the writ petition was dismissed vide judgment dated 29.11.2016.

At the time of issuance of notice of motion, counsel for the petitioners had placed reliance upon pendency of another petition bearing CWP No. 22393 of 2014 Amit Bakshi and another vs U.T. Chandigarh, involving same question of law. Even that writ petition has been dismissed in view of the detailed order passed in Vimla Devi's case (supra).

Considering the judgment of this Court in Vimla Devi's case (supra), prima facie, there is no merit in the present writ petition. However, as none has appeared for the petitioners, the same is dismissed for non-prosecution.

(Rajesh Bindal)
Judge

21.3.2017
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No