

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

CWP No.7816 of 2016 (O&M)

Date of decision: 1.3.2017

Prem Parkash and others

.. Petitioners

VS

State of Haryana and others

.. Respondents

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

Present: Mr. Manoj Kumar Sood, Advocate, for the petitioners.
 Mr. Ankur Mittal, Additional Advocate General, Haryana.

Rajesh Bindal, J.

The petitioners have approached this Court claiming that the acquisition where notifications under Sections 4 and 6 of the Land Acquisition Act, 1894 were issued on 14.4.1974 and 10.2.1976, respectively, has lapsed in view of Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

It is not in dispute that the predecessor-in-interest of the petitioners earlier filed CWP No.2471 of 2010 challenging the same acquisition. The same was dismissed as withdrawn. Thereafter, they filed CWP No.3034 of 2012 claiming that they are in possession of the land in pursuance of the resolution dated 30.11.1963. The writ petition was dismissed. During the course of arguments, they were not able to show that they were owners of the acquired land. This Court further observed that the petition was nothing but an abuse of process of law. The order passed by this Court was challenged before Hon'ble the Supreme Court vide SLP

(C) No.27346 of 2012 titled as Khushal Singh and others vs. State of Haryana and others, and the same was dismissed as withdrawn with liberty to the petitioners to approach the Government for de-notification of the land. Permission was granted without expressing any opinion on merit.

In the light of the aforesaid facts, once in the earlier round of litigation, the petitioners were not able to prove themselves to be owners of the land, we do not find any reason to re-examine the matter regarding lapsing of the acquisition in question. There is no merit in the present petition and the same is accordingly dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

1.3.2017
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Whether speaking/ reasoned
Whether Reportable

Yes/No
Yes/No