

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5470 of 2017 (O&M)

Date of Decision:- 3.11.2017

Gajjan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill

Present:- Mr. Vikram Singh, Advocate for the petitioner.

Mr. H.S. Grewal. Additional Advocate General, Punjab.

Mr. Gursher Singh Bhandal, Advocate for respondent no. 2.

Rajesh Bindal, J.

The petitioner has filed the present petition claiming that the acquisition of land carried out under the Punjab Town Improvement Act, 1922 has lapsed in view 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”), as neither the compensation for the acquired land has been paid nor the possession thereof has been taken.

Learned counsel for respondent No.2 submitted that applicability of the 2013 Act with reference to the acquisition of land in any other law except Land Acquisition Act, 1894, which has specifically been mentioned in Section 24 of the 2013 Act, has been gone into by Hon’ble the Supreme Court and it has been opined that the 2013 Act will not be

applicable for acquisition under any other law except Land Acquisition Act, 1894.

After hearing learned counsel for the parties, in our view the present petition deserves to be dismissed as issue regarding applicability of Section 24(2) of the 2013 Act has been gone into by the Division Bench of this Court in CWP No.7134 of 2014 titled as Inderjit Sehajpaul and others Versus State of Punjab and others decided on 1.8.2017. It has been opined that for acquisition under any law except Land Acquisition Act, 1894, the benefit of Section 24(2) of the 2013 Act cannot be availed of.

For the detailed reasons recorded in Inderjit Sehajpaul's case (supra), we do not find any merit in the present petition and the same is accordingly dismissed.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

3.11.2017
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Whether speaking /reasoned Yes / No

Whether Reportable Yes / No