

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

CWP No.5826 of 2019

Date of Decision : 05.03.2019

Brij Mohan and another

....Petitioners

Versus

Union of India and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA

Present: Mr. Kewal Krishan, Advocate for
Mr.Premjit Kalia, Advocate
for the petitioners.

MAHESH GROVER, J.(O)

In this writ petition the petitioners pray that their land be de-notified as it was not put to use for the intended purpose.

On a prior occasion the petitioners had approached this Court by way of CWP-3651-2018, which was disposed of with a direction to the respondents to consider the representation of the petitioners sympathetically and a decision taken within a period of four months from the date of receipt of certified copy of the order. Before making such direction the court had observed that it was unnecessary to observe that if the acquired land is needed for the public purpose presently or in future, the petitioners cannot compel the authorities to release the same. The situation continues to be the same, but the respondents have made their stand clear while replying to the petitioners' legal notice of which the petitioners make much of the fact that a decision has not been taken by the competent authority even though a response has been given to them by the authorities through their counsel when the petitioners submitted a legal notice. It has been categorically stated that under the National Highway Authority of India Act there is no provision to de-notify the land once acquired. It was

specifically denied that the land was not acquired for construction of NH-15.

We are thus of the opinion that sufficient consideration has been granted by the authorities when they replied to the legal notice to satisfy the order of this court. Nothing has been shown to us to persuade us to ask the authorities to de-notify the land which was acquired for a public purpose in accordance with law. The acquisition being complete, there would be no occasion to pass any order nullifying the acquisition either in whole or in part.

Dismissed.

(MAHESH GROVER)
JUDGE

05.03.2019
dss

(LALIT BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No