

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

114

CWP-12486-2019

Date of decision: 13.05.2019

Gurdev Kaur & others

....Petitioners

Versus

Union Territory Chandigarh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.P.C.Yadav, Advocate, for the petitioners.

G.S. SANDHAWALIA, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, is for direction to the respondents to pay the compensation of the land/structure existing at the time of acquisition. Further prayer has been made for liberty to file reference before the Competent Authority/Court as the petitioners were not aware of the relevant period to approach for the said relief/remedy.

A perusal of the paperbook would go on to show that the award was passed 20 years earlier on 30.03.1999 (Annexure P-4) by the Land Acquisition Collector. In para No.2 of the petition, it has further been mentioned that the grandfather of petitioners No.1 to 3 and great grandfather of petitioners No.4 to 7 was owner in possession of Bara Mutation No.1461, 1464, Khewat No.159/2,69/1,159/1 (89/1) 117 Shamlat Deh, situated at Village Dadumajra, U.T.Chandigarh and later on, the petitioners have become the owners in possession of the same. Reliance in this regard is placed upon the revenue record (Annexure P-1).

However, writ petition cannot be used to extend the period of limitation for the relief/remedy, as prayed for. If the petitioners have any entitlement, as such, regarding their share in the land, it is for them to file

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appropriate application before the competent Court. Since disputed questions as to what is the status of the petitioners or their predecessor-in-interest regarding their right or entitlement is involved, the present writ petition is dismissed in limine, being not maintainable. However, liberty is granted to the petitioners to approach the Competent Authority, for the redressal of their grievances, in accordance with law, if permissible.

13.05.2019

Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No