

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

**CWP-11679-2019**

**Date of decision : 15.01.2020**

Nand Kishore & ors.

...Petitioners

V/s

State of Haryana & ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA  
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Aditya Singh Yadav, Advocate for the petitioners.

Mr. Ankur Mittal, Addl. A.G. Haryana.

**RAJAN GUPTA J. (ORAL)**

Petitioners have prayed for a writ in the nature of certiorari for quashing the acquisition proceedings of 56 kanals of land which they claimed was owned by their ancestors. They have further prayed for setting-aside of sale-deeds dated 27.06.2005, Annexure P-6 executed by their ancestors in favour of respondent no. 5 being *void ab initio*. They have also prayed that licence no. 15 of 2010 granted by respondent no. 4 in favour of respondent no. 5 by Director, Town and Country Planning, Haryana may be cancelled.

Assistance of the State counsel has been sought. He has pointed out that petitioners have sold their shares in the land to a private builder vide registered sale-deeds much before the acquisition proceedings are initiated by the Government for residential and commercial sectors to be developed in Rewari. It is contended that petitioners have no right to seek quashing in view thereof. Besides, petition has been filed after delay of 13/14 years. As regards setting-aside of the sale-deeds, same can be sought by way of civil suit only.

We find substance in the stand of the State. It is not clear how the petitioners can seek quashing of the acquisition proceedings. They admittedly, have sold their shares to a private builder before notifications under sections 4 & 6 of the Land Acquisition Act were issued. Their plea for setting-aside of sale-deeds in writ jurisdiction is equally mis-conceived as it would necessarily require evidence to be led as disputed questions of fact would come up. Petitioners have no right to seek cancellation of the licence granted by respondent no. 4 in favour of respondent no. 5 as they have not been able to show that any legal right of theirs have been infringed.

Under the circumstances, petition is wholly mis-conceived and the same is hereby dismissed.

(RAJAN GUPTA)  
JUDGE

January 15, 2020  
*Ajay*

(KARAMJIT SINGH)  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |