

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

CWP-15911-2019

Date of decision : 15.01.2020

Leela Ram

...Petitioner

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 petitioner.

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

RAJAN GUPTA J. (ORAL)

Petitioner has prayed for a writ in the nature of certiorari for quashing the acquisition proceedings of 09 kanals 4 marlas of land which he claimed was owned by him. He has further prayed for setting-aside of sale-deeds dated 14.09.2005, Annexure P-6 executed by him in favour of respondent no. 5 being *void ab initio*. He has 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 petitioner has sold his land to a private builder vide registered sale-deeds much before the acquisition proceedings were initiated by the Government for residential and commercial sectors to be developed in Rewari. It is contended that petitioner has 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 petitioner can seek quashing of the acquisition proceedings. He admittedly, has sold his share to a private builder before notifications under sections 4 & 6 of the Land Acquisition Act were issued. His 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. Petitioner has no right to seek cancellation of the licence granted by respondent no. 4 in favour of respondent no. 5 as he has not been able to show that any legal right of his has 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