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

CWP-14884-2018

DECIDED ON: 13th October, 2020

NANAK SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

**CORAM: JUSTICE S.MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. P.L. Verma, Advocate for the Petitioners.

Mr. Shivendra Swaroop, Assistant Advocate General, Haryana for
Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. The prayer in the present petition is *inter alia* for quashing the notification dated 28th July, 2004 issued under Section 4 and Section 17 (2) (c) of the Land Acquisition Act, 1894 for acquisition of 26.94 acres of land spread across 5 villages in Tehsil Gurgaon, District Guragon for the purposes of construction of the Sultanpur Link Drain. The land notified for acquisition included the land stated to be owned by and in the possession of the Petitioners.

2. It is stated in the petition that the Petitioners received a letter dated 7th August, 2012 from the Principal Secretary to the Engineer-in-Chief, Irrigation Department, informing them that the Government had decided to drop the proposal of construction of Sultanpur Link Drain. It is accordingly averred that in view of the proposal for construction the drain itself being dropped, the land ought to be released to the Petitioners. The Petitioners do not dispute that they have received compensation. In para 14 of the writ petition they undertake to “refund the compensation amount to government”.

3. The Court notices that the present petition was filed only on 29th May, 2018 i.e. nearly six years after the decision to drop the proposal for construction of the Sultanpur Link Drain was communicated to them. There is no explanation forthcoming from the Petitioners as to why they had to wait for this long to approach the Court for relief. The Court is thus of the view that the petition ought to be dismissed on the ground delay and laches.

4. The writ petition is accordingly dismissed. The status quo order, if any, hereby stands vacated.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

13th October, 2020
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No