

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
206 (82)

CWP-23353-2016

Date of decision: 31st August, 2020

Sushil Kumar and others

.....Petitioner(s)

Versus

State of Haryana and others

....Respondents

CORAM: JUSTICE S. MURALIDHAR

JUSTICE AVNEESH JHINGAN

Present: Mr. Sandeep Sharma, Advocate for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. In this writ petition, the prayer for release of land in question acquired under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('the 2013 Act') deserves to be dismissed in view of the decision of the Constitution Bench of the Supreme Court in *Indore Development Authority v. Manoharlal and others*, AIR 2020 SC 1496.

2. It is pointed out by Mr. Ankur Mittal, learned Additional Advocate General, Haryana appearing for the Respondents that the Petitioners had purchased the land in question subsequent to the notification dated 16th December, 1988 issued under Section 4 of the Land Acquisition Act, 1894.

3. In view of the clear legal position as laid down in *Shanti Sports Club and another v. Union of India* AIR 2010 SC 433, petition seeking the above

relief is not maintainable at the instance of subsequent purchaser.

Consequently, the relief prayed in this petition cannot be granted.

3. The petition is dismissed.

4. Status quo order, if any, is vacated.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

31st August, 2020
Sachin M.

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No