

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4803 of 2016

Date of Decision: 24th August, 2020

Eros City Developers Pvt. Ltd. and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. Aashish Chopra, Advocate for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. This is the second round of litigation challenging the land acquisition proceedings which culminated in an Award dated 5th May, 2006. The Petitioners' earlier challenge by way of CWP No. 10611 of 2004 stood negatived when the Supreme Court of India set aside a judgment of this Court which allowed the said writ petition.

2. The Constitution Bench of India in *Indore Development Authority v. Manoharlal and others etc. AIR 2020 SC 1496* clarified in para 363(9) as under:

"9. Section 24(2) of the Act of 2013 does not give rise to new cause of action to question the legality of concluded proceedings of land acquisition. Section 24 applies to a proceeding pending on the date of enforcement of the Act of 2013, i.e., 1.1.2014. It does not revive stale and time-barred claims and does not reopen concluded proceedings nor allow landowners to question the legality of mode of taking possession to reopen proceedings or mode of deposit of compensation in the treasury instead of court to invalidate acquisition."

3. On the short ground that the Petitioners having already failed in an earlier challenge to land acquisition proceedings cannot seek to reopen that challenge under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, this petition deserves to be dismissed and is dismissed as such. The status quo order, if any, stands vacated.

(S. MURALIDHAR)
JUDGE

24th August, 2020
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No