

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206 (20)

CWP No. 4237 of 2018
Date of decision: 31st August, 2020

Rakesh Gupta

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN

Present: Mr. Abhisehk Yadav, Advocate
for Mr. Vikrant Hooda, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. It is seen that in the present case, the Petitioner in para 2 states that he purchased the land in question by a sale deed dated 15th January, 2001, whereas the notification issued under Section 4 of the Land Acquisition Act, 1894 ('LAA') for acquisition of the land is dated 17th April, 2002 and consequent Section 6 of the 'LAA' notification was issued on 10th April, 2003 and the award was announced on 25th June, 2004.

2. In view of the legal position explained in *Shanti Sports Club v. Union of India, (2009) 15 SCC 705* and reiterated recently in *Shiv Kumar and Ors. v. Union of India, (2019) 10 SCC 229* and further reiterated by the Constitution Bench of the Supreme Court in *Indore Development Authority*

v. Manoharlal and others etc., AIR 2020 SC 1496, a challenge to acquisition proceedings by a subsequent purchaser is untenable.

3. This petition is clearly not maintainable. It is accordingly dismissed.

4. The status quo order, if any, stands vacated.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

31st August, 2020
jk

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No