

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

**CWP No.5587 of 2021 (O&M)
Date of decision : 12.03.2021**

Vikram Kundu & anr.

..... Petitioners

versus

State of Haryana & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Ankur Sidhar, Advocate for
Mr. Rajesh Khandelwal, Advocate
for the petitioners.

AJAY TEWARI, J. (Oral)

1 This petition has been filed with the prayer that the acquisition proceedings in respect of the land on which their house is constructed is deemed to have lapsed.

2 At the very outset, it must be noticed here that earlier the petitioners had filed CWP No.21213 of 2020 whereby their specific case was that about 90 sq. yards of the land on which their house was constructed was not acquired and the prayer made was that that portion of the house could not be demolished which does not form part of the acquired land. That petition was allowed in the presence of the learned counsel for the petitioners by judgment and order dated 25.01.2021 **(Annexure P-11).**

3 In the present petition however a totally different case is being set up, viz. that the land on which the house of the petitioners was

situated can not be deemed to be acquired land. It is not disputed that this position obtained even when the earlier writ petition was filed. There is no explanation why this plea was not urged in the previous petition.

4 In the circumstances, we do not deem it appropriate to consider the same.

5 Petition stands dismissed.

6 Since the main case has been dismissed, the pending Misc. Application, if any, also stands dismissed.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

12.03.2021

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No