

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

CWP No.26336 of 2021
Date of decision: 28.01.2022

Manish Bhardwaj and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Vivek Singla, Advocate,
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana,
and Mr. Saurabh Mago, AAG, Haryana.

Ritu Bahri, J. (Oral)

Petitioners are challenging the notifications dated 15.05.1997 and 14.05.1998 (Annexures P-3 and P-4) issued under Sections 4 and 6 of the Land Acquisition Act, 1894, on the ground that they are still in possession of the land being *Dohlidar* and have raised construction over the same.

In the present case, notification under Section 6 of the Act was issued in the year 1998 and the award must have been passed within two years of the said notification. The present petitioners have filed this petition in the year 2021. There is delay of almost 21 years in approaching this Court. Present petition deserves to be dismissed on the ground of delay itself.

Further, the law on the subject has already attained finality pursuant to the verdict given by Five Judge Bench of Hon'ble the Supreme

Court in **Indore Development Authority vs. Manoharlal and others**, AIR 2020 SC 1496, wherein it has been held that possession taken through mode of *Panchnama* and *Rapat Roznamcha* is a valid possession and once the possession is taken, the land vests absolutely in the State and cannot be given back. In the present case, the petitioners being *dholidar*, are not owners of the land.

Keeping in view the judgment passed in **Indore Development Authority's** case (supra) and unexplained long delay in approaching the Court, the present petition is dismissed.

(RITU BAHRI)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

28.01.2022
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No