

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

CWP-26972-2021

Date of decision: 05.01.2022

Anup Singh Kade

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vineet Chaudhary, Advocate for the petitioner
Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition, the petitioner prays for issuance of a writ in the nature of Mandamus to direct the respondents to pass appropriate orders on the application submitted by the petitioner under Section 18 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the 1894 Act'). Admittedly, the land was acquired vide an award dated 17.09.1986. The petitioner claims to have submitted an application under Section 18 of the 1894 Act on 04.04.2019 i.e after a period of more than 32 years. The petitioner claims that he is an 86 years old man and remains under medical treatment. He also claims to have temporarily resided abroad.

As per Section 18 of the 1894 Act, the limitation for filing an application under Section 18 is at the most, 6 months from the date of the passing of the award. There is no provision for condoning the delay in filing the application under Section 18 of the 1894 Act.

Keeping in view the aforesaid facts, the writ petition suffers from an inordinate and colossal delay of more than 32 years. Hence, no ground to issue the writ, as prayed for, is made out.

Dismissed.

05.01.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE