

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

(217)

**CWP-21659-2014
Decided on :19.01.2023**

Bhartiya Kishan Union Haryana & others

.....Petitioner(s)

Versus

Union of India & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: None for the petitioner (s).

Mr.Ankur Mittal, Addl.A.G., Haryana
Mr.Saurabh Mago, AAG, Haryana
Ms.Kushaldeep Kaur, Advocate.

G.S. Sandhawal, J. (Oral)

Challenge in the present writ petition is to the notification dated 17.11.2005 and 07.02.2006. Apart from that, challenge has been raised to the provisions of Sections 4, 5 & 6 of the Land Acquisition Act, 1894 (for short, the 'Act').

A perusal of the paperbook would go on to show that in the present case, there is no appearance on behalf of the petitioners since 02.12.2019. Thereafter also, when the matter was taken up on 23.01.2020, it was noticed that the petitioners remained unrepresented. Same was the situation on the last date. Counsel for the State was also asked to apprise this Court whether any cause of action survive in this case. It is also to be noticed that the matter was initially filed as Writ Petition (Civil) No.308 of 2009 before the Apex Court while invoking the original jurisdiction and the matter had been directed to be heard by this Court by renumbering the writ petition along with the bunch of other cases vide order dated 06.08.2014.

We are also informed that the acquisition for the notification dated 17.11.2005 which was for residential, commercial and institutional sectors No.65, 66, 67 & 68, Sonapat was subject matter of consideration in various RFA's and the market value has also been accordingly fixed for the villages Badh Khalsa, Firozepur Khadar, Abaspur, Badh Malik and

Patla, @ Rs.35,00,000/- per acre along with all statutory benefits and for villages Jakholi, Sewli, Khewda and Bahalgarh, @ Rs.31,50,000/- per acre along with all statutory benefits, enhancing it from Rs.32,00,000/- for the first 5 villages and from Rs.28,00,000/- for the last 4 villages. SLP(Civil) No(s). 4635/2020 titled *Rajender Singh & others Vs. State of Haryana & others*, filed against the same were dismissed by the Apex Court on 18.01.2021.

In such circumstances, at this belated stage, apparently due to the efflux of time the petitioners have lost interest in the litigation on account of the 2013 Act also coming into force and the fact that enhanced compensation has been received regarding the acquisition which had taken place.

In such circumstances, we are of the considered opinion that the present petition which is more in the form of Public Interest Litigation, the currency of the same has run out on account of sheer efflux of time as the landowners have resorted to their remedies in accordance with law and majority of them have taken their compensation and successfully sought enhancement and therefore, the clock cannot be put back at this point of time.

Resultantly, in view of the above, the present writ petition is dismissed for want of prosecution.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

19.01.2023
sailsh

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No