

2023:PHHC:140138-DB

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

210+105

CWP-2112-2018(O&M)

Date of Decision : **November 03, 2023**

BANWARI LAL & ORS

.....Petitioners

VERSUS

STATE OF HARYANA & ORS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Anil Dutt, Advocate for the petitioners.
Mr. Ankur Mittal, Addl. AG, Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR. J.(Oral)

CM-16675-CWP-2023

1. During the pendency of the instant writ petition, the demise of petitioner No. 2, namely, Jawahar Lal has occurred on 13.5.2020. It has been averred in paragraph No.1 of the application that the deceased petitioner is survived by his LR's, as enumerated therein.

2. Since for an adjudication of the instant writ petition, the substitution of the deceased by his LR's is imperative. Therefore, after allowing the asked for substitution, the instant application is allowed but for the purpose of this writ petition only.

3. The amended memo of parties, as appended with the application CM-16675-CWP-2023 has been taken on record.

Main case

4. Since both the contingencies, thus spelt in the verdict made by the Constitution Bench judgment of the Hon'ble Supreme Court, in case titled as "**Indore Development Authority Vs. Manohar Lal and others,**" AIR 2020 SC 1496, have been proven to become accomplished, at the instance of the acquiring authority concerned, therefore, the writ claim erected on Section 24(2) of the Land Acquisition Act, 1894, thus cannot become assigned to the present petitioners.

CWP-2112-2018(O&M)

5. Disposed of accordingly alongwith with all pending applications, if any.

(SURESHWAR THAKUR)
JUDGE

November 03, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No