



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.11310 of 2014
Date of Decision: 24.09.2024

Kiranbir Singh and another
...Petitioners

Versus

State of Punjab and others
...Respondent

CORAM: *HON'BLE MR. JUSTICE G.S. SANDHAWALIA*
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Mohit Jaggi, Advocate
 for the petitioners.

 Mr. Shekhar Verma, Addl. A.G., Punjab
 for respondents No.1 and 3.

 Mr. R.S. Khosla, Senior Advocate with
 Mr. Yogender Verma, Advocate
 for respondents No.2 and 4.

G.S. Sandhawalia, J.(Oral)

The challenge in the present writ petition filed under Articles 226/227 of the Constitution of India, is to the acquisition proceedings, which were initiated way back vide notification dated 21.02.2000 (Annexure P-6) issued under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') and the subsequent notification dated 02.02.2001 (Annexure P-7) issued under Section 6 of the Act for the land falling in Village Sohana, District SAS Nagar, Mohali. The Award has also been passed on 17.05.2001 (Annexure P-8). The belated claim as such has been raised after a period of 14 years from the issuance of the notification under Section 4 of the Act and therefore, only based on the right of lapsing under



the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013, which issue, now, stands settled by the Constitution Bench of the Apex Court in **Indore Development Authority vs. Manoharlal and others, (2020) 8 SCC 129.**

2. The stand of the State in the reply is that the possession of the land of the petitioners falling in Khasra No.79//25/3, 79//25/2 and 81//22/2 was taken by the Land Acquisition Collector, Urban Development, SAS Nagar and Award No.481 was passed on 17.05.2001 followed by Rapat No.478, vide which symbolic possession was taken. The amount of compensation has also been paid to petitioner No.1-Kiranbir Singh to the tune of Rs.1,35,308 and Rs.1,11,630/- vide cheques dated 25.10.2001 and 12.11.2001. Similarly, petitioner No.2-Avtar Singh has been paid the compensation amount of Rs.27,061/- and the balance amount of compensation of the land has not been claimed by the concerned land-owners and stands duly deposited with the reference Court in the year 2017.

3. Since the amount of compensation has been received and the symbolic possession has been taken, we do not find any plausible reason as such to interfere in the acquisition proceedings. Resultantly, the present writ petition is dismissed accordingly.

(G.S. SANDHAWALIA)
JUDGE

24.09.2024
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No