

2024:PHHC:092202-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP-29126-2018

Decided on : 23.07.2024

Sunita & others

.....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

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

Present: None for the petitioner (s).

Mr.Ankur Mittal, Addl.A.G., Haryana
Mr.Saurabh Mago, DAG, Haryana.

G.S. Sandhawal, J.(Oral)

1. Prayer in the present writ petition, filed under Article 226/227 of the Constitution of India is for quashing of the notification dated 17.04.2002 (Annexure P-1) issued under Section 4 of the Land Acquisition Act, 1894 (for short, the 'Act') and the subsequent notification dated 10.04.2003 (Annexure P-2) issued under Section 6 of the Act.

2. The writ petition was filed in the year 2018 after 15 years. In the acquisition process, it has not been mentioned as to when the award was passed. The writ petition is also silent about the exact area of the petitioners' ownership and whether any building has been constructed on the land or not. It has been averred that possession had not been taken and no development had taken place and it was prayed that the land be released on the ground of parity. Matter was adjourned sine-die to await the decision of the Apex Court and after the decision, application was to be moved for listing of the case.

3. There is no appearance on behalf of the petitioners. Apparently, the writ petition had been filed at a belated stage and in view of the law laid down by the Apex Court in **Indore Development Authority Vs. Manoharlal& others, AIR 2020 SC 1496**, the acquisition having been finalized in the year 2003-04 and no objection had been raised, at that point of time, the same cannot be agitated by way of filing the writ petition in the year 2018. It also seems that the petitioners have lost interest in the litigation.

4. Accordingly, in view of the above discussion, the present writ petition is dismissed for want of prosecution.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

23.07.2024
sailesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No