



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.31004 of 2024
Date of Decision: 25.11.2024

Kiran Dhawan and others
.....Petitioners.
Versus
Govt. of Haryana and others
.....Respondents.

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

Present:- Mr. Yogesh Kumar, Advocate
 for the petitioners.

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

G.S. SANDHAWALIA, J.(Oral)

In the present writ petition, challenge is to the acquisition proceedings dated 25.05.1992 (Annexure P-6) under Section 4 of the Land Acquisition Act, 1894 (for short 'the 1894 Act') and the subsequent proceedings dated 03.05.1993 (Annexure P-8) under Section 6 of the 1894 Act.

2. We have been informed that the award was passed on 01.05.1995 and the acquisition proceedings have become final.
3. The instant writ petition talks about lapsing under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the 2013



Act') and reference has been made to the judgments which have been over-ruled by the Constitutional Bench of the Apex Court in *Indore Development Authority Vs. Manoharlal & others, (2020) 8 SCC 129*.

4. In view of the above, we are of the considered opinion that the present writ petition is totally misconceived as the relief has been sought under the 2013 Act whereas the proceedings stood concluded long back in 1995 under the 1894 Act. In such circumstances, it is absolutely based on a proposition of law which cannot be contemplated as the acquisition proceedings were completed under the 1894 Act which has been repealed. Resultantly, the instant writ petition is dismissed.

5. Since we have dismissed the writ petition in *limine*, we do not impose any exemplary costs upon the petitioners.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

November 25, 2024
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No