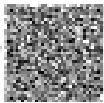


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

2024.PHHC:167877-DB



CWP-PIL-272-2024
Date of decision: 16.12.2024

B P SOMASTAMB

..Petitioner

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anish Setia, Advocate
Mr. Surinder Singh, Advocate
Mr. Vikas Singh Rana, Advocate
for the petitioner.

Mr. Naveen S. Bhardwaj, Addl. A.G., Haryana.

* * * *

SHEEL NAGU, C.J. (Oral)

1. The petitioner in this Public Interest Litigation (PIL) raises an alleged public cause seeking the following relief:-

- “i. Issuance of writ mandamus for directing the Respondents no. 1 to 5 to make necessary inquiry into the matter qua land grab, fraud and embezzlement made by Late. Kanhaiya Lal (Predecessor-in-interests of the respondent no. 6 to 8) qua land owned by State of Haryana, who caused a huge loss to the Govt. Exchequer by selling land of Govt. of Haryana illegally. The land in question was acquired by State of Haryana under the Land Acquisition Act by issuing notification under Section 4 of the Land Acquisition Act dated 11.05.1990 (Annexure P-2) and notification under Section 6 dated 08.05.1991 of the Land Acquisition Act, whereby, the possession of the same was taken by the respondent-state on 05.05.1993 (Annexure P-3) AND to make recovery of loss caused to the State of Haryana alongwith relevant interest, in the interest of justice;*
- ii. Further to direct the respondent no. 1 to 4 to consider and decide the detailed representation filed by the petitioner dated 15.04.2024 (Annexure P-16) by constituting a High Levelled Committee presided over by a Superior Judicial officer and to submit the report to this*

Hon'ble Court in a time bound manner and the petitioner be heard in person by the committee;”

2. The cause that has been raised in the present case by the petitioner, who claims himself to be a whistle blower is that certain private land was acquired by the Government based on notification under Section 4 of the Land Acquisition Act, 1894, issued on 11.05.1990, for the purpose of construction of residential sector in District Faridabad.
3. In the petition, there is no explanation as to why the said cause has been raised after a period of 32 years except stating on oath that the knowledge of the said alleged illegality came to the petitioner on 15.01.2024 and not before that.
4. It is also claimed that petitioner has made certain representation to the Government which remains unattended.
5. This Court was initially of the view that said representation made by the petitioner may be directed to be decided but doing so would open a pandora’s box and allowing raising of issue where evidence would be desperately wanting due to efflux of time. Thus we refrain from doing so.
6. Accordingly, on the basis of unexplained delay and latches, the present petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

December 16th, 2024
Ayub

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No