

2025:PHHC:047037-DB



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

Reserved on : 13.02.2025
Pronounced on : 01.04.2025

<i>Sr. No.</i>	<i>Case Number</i>	<i>Title of the case</i>
1.	CWP-2268-1999	<i>Kulwant Kaur and Others Vs. State of Punjab and Others</i>
2.	CWP-4797-1993	<i>Jarnail Singh and Others Vs. State of Punjab and Another</i>

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE VIKAS SURI

Argued by: Mr. Arun Bansal, Advocate
Mr. Anubhav Bansal, Advocate
Mr. Sandeep Bansal, Advocate and
Ms. Anju, Advocate
for the petitioner(s)

Mr. Maninder Singh, Sr. DAG, Punjab.

SURESHWAR THAKUR, J.

1. Since both the writ petition(s) arise from common theretos notification(s) issued under Section 4 of the Land Acquisition Act, 1894 (hereinafter for short called as the 'Act of 1894'), besides also arise from common theretos declaration(s) issued under Section 6 of the 'Act of 1894'. Therefore, both the writ petition(s) are amenable for becoming decided through a common verdict.
2. The said notification(s) became respectively issued on 12.12.1974 and on 02.01.1978.
3. For the sake of brevity the facts of CWP-2268-1999 are taken here for deciding the instant controversy.

2025:PHHC:047037-DB

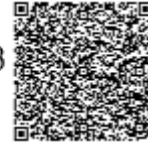


4. The instant writ petition became decided on 16.11.2011. The relevant paragraphs as occur in the said verdict become extracted hereinafter.

“2. On 12.12.1974, the respondent State of Punjab issued a notification under Section 4 of the Act showing the intention to acquire land measuring 384.86 acres for a public purpose, namely, for the setting up of a residential Urban Estate in the area of Tehsil and District Bhatinda (P-1). Thereafter on 2.1.1978, declaration under Section 6 of the Act was issued, acquiring 341.79 acres of land (P-2). On 22.3.1978, Award No. 379 in respect of land measuring 305.43 acres was announced (P-3). It has been mentioned in the said award that the Field Staff found variation of 6.03 acres of land in the measurement of land, which was shown in excess in the notification under Section 6 of the Act. Secondly, out of the total land declared and notified under Section 6 of the Act, a part thereof has already been acquired by the Special Land Acquisition Collector (Military) Jalandhar for Bhatinda Cantt., which comes to 14.18 acres. Therefore, award was passed in respect of 305.43 acres of land only.

3. On 28.12.1979, the respondent State of Punjab issued a letter reducing the time limit provided under Section 6 of the Act for issuance of notification from three years to one year. It has been prescribed that if the possession of the land is not taken within one year after the issue of notification under Section 6, the same would be deemed to have lapsed (P-4). The precise claim of the petitioners is that acquisition proceedings qua them stood withdrawn upon issuance of instructions dated 28.12.1979 because possession of the land in question continues with them. The petitioners have also placed firm reliance on the order dated 1.3.1984 passed by this Court in **CWP No. 558 of 1984 (Mitha Singh Toor and others v. State of Punjab and another)**, which in turn was disposed of in terms of judgment dated 22.2.1983 passed in CWP No. 869 of 1981 (*Parkash Singh v. State of Punjab and another*). A perusal of the judgment dated 22.2.1983 passed in *Parkash Singh's* case (*supra*) reveals that on 3.3.1980 another instruction was issued by the respondent State of Punjab withdrawing the earlier letter dated 28.12.1979. However, the learned Single Judge while rendering the judgment dated 22.2.1983 came to the conclusion that the communication dated

2025:PHHC:047037-DB



3.3.1980 was prospective in nature and could not have been applied retrospectively and, thus, cannot revive the acquisition proceedings which had been abandoned or had come to an end with the issuance of instructions dated 28.12.1979. Accordingly, the learned Single Judge allowed the bunch of 38 writ petitions by observing as under:-

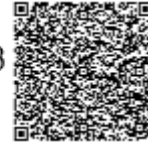
Mr. R.M. Gupta, appearing on behalf of the respondent Improvement Trust, Ropar, in Civil Writ No. 5723 of 1981, contends that the Land Acquisition Collector has already made his award under Section 11 of the Act and on that account the acquisition proceedings stand completed and the instructions dated December 28, 1979, cannot have the effect of releasing the petitioner's land. The learned counsel, however, concedes that possession of the land of the petitioner has not been taken in pursuance of the said award of the Land Acquisition Collector and the petitioner still continues to be in possession of his property. In the face of this admitted position, the land in question obviously has not vested in the Trust and as per the terms of section 48 itself till the possession of the land sought to be acquired is taken, the Government is at full liberty to withdraw or abandon the acquisition proceedings. Thus it is patent that the acquisition proceedings initiated by the respondent authorities in pursuance of the respective notifications issued under section 4 and 6 of the Act stood withdrawn or abandoned with the issuance of the instructions dated December 28, 1979. In view of this conclusion of mine I do not feel the necessity of going into the other contentions raised by the learned counsel for the petitioners.

In the light of the discussion above I hold that the lands of the petitioners are no more subject to the acquisition proceedings and the same, as already indicated, stand abandoned or withdrawn. I, however, pass no order as to costs."

4. *It is further case of the petitioners that against the aforementioned orders, the respondent State of Punjab has filed SLP No.6539 of 1984, which was dismissed by Hon'ble the Supreme Court vide order dated 20.1.1995. In this manner, the land comprised in Khasra No. 2848 continued to remain with them and no compensation was ever received by Shri Satha Singh or his LRs. It has also been submitted that earlier the petitioners filed CWP No. 1800 of 1997 challenging the notifications impugned in the present petition. However, the said petition was dismissed as withdrawn with liberty to file a fresh one on the same cause of action, vide order dated 9.12.1997.*

5. *During the pendency of the writ petition, the petitioners have filed an application bearing C.M. No. 14868 of 2011 for disposal of the instant petition in terms of the order passed in CWP No. 558 of 1984, which has been affirmed by Hon'ble the Supreme Court upto the Curative Petition*

2025:PHHC:047037-DB



No. 99 of 2004, dated 4.8.2010 (A-1). Notice of the said application was issued on 9.11.2011 and the office was directed to add the file of CWP No. 558 of 1984.

6. No reply to the said application has been filed by the respondents.

7. We have heard learned counsel for the parties at length and perused the paperbook. It has remained un-controverted that on the basis of statement made by the learned State counsel on 1.3.1984, CWP No. 558 of 1984 was disposed of in terms of the judgment dated 22.2.1983 rendered in the case of Parkash Singh (supra). Thereafter, the Special Leave Petition (Civil) No. 6539 of 1984, preferred by the respondent State of Punjab was dismissed by Hon'ble the Supreme Court, vide order dated 20.1.1995, which reads as under :-

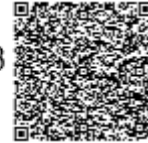
“ There is a letter of Mr. G.K.Bansal, Advocate-on-record appearing at page 73-C of the paper book suggesting that the main matter(s) SLP (C) Nos. 450/87/84 have been dismissed and in accordance therewith this petition too may be dismissed. Accordingly, this petition is dismissed.”

8. The respondent State of Punjab then filed Review Petition (civil) No. 152 of 2001, which was also dismissed on 19.10.2001. Still further the State of Punjab preferred Curative Petition (C) No. 99 of 2004. On 4.8.2010, Hon'ble the Supreme Court rejected the aforesaid curative petition and other connected review petitions (A-1).

9. The learned State counsel has not been able to controvert the aforestated factual position. Accordingly, we dispose of the instant petition in terms of the order dated 1.3.1984 rendered in the case of Mitha Singh Toor and Others Vs. State of Punjab and Others (CWP No. 558 of 1984).”

5. Thereafter, an application bearing **RA-CW No. 368 of 2012** became filed in the writ petition (supra), thus, seeking review of the final order dated 16.11.2011, passed by the Division Bench of this Court. The said review application became allowed and the writ petition became restored to its original number. The relevant part of the said order is extracted hereinafter.

2025:PHHC:047037-DB



The present application is for review of the order passed by Division Bench of this Court on 16.11.2011 whereby writ petition filed by the petitioners challenging the notifications dated 12.12.1974 under Section 4 and dated 02.01.1978 under Section 6 of the Land Acquisition Act, 1894 (for short 'the Act') and also the award dated 22.03.1978 was allowed in terms of order dated 01.03.1984 passed in CWP No.558 of 1984 titled Mitha Singh Toor and others v. State of Punjab and another. The reasoning given by Division Bench of this Court is that in view of the instructions dated 28.12.1979, which has reduced the time limit provided under Section 6 of the Act for the issuance of notification from 3 years to 1 year, the publication of notification under Section 6 of the Act would be deemed to have lapsed.

It is pointed out that in view of the order 05.05.1987 (Annexure R-2/1 with the written statement) passed by the Hon'ble Supreme Court in Civil Appeal No.2218-20 and 2222-30 of 1984 titled The State of Punjab and others v. Ranjit Singh and others, the findings recorded by the Bench is contrary to the said order wherein it has been held to the following effect:-

"It is not disputed that these acquisition notifications under Section 4 are of September 1976 and, therefore, the proviso in Section 6 of the Act applies. We accept the submission of the learned advocate for the appellant that the executive instruction was, therefore, not operative and acquisition proceedings validly initiated and pending could not be nullified in the manner the December 1979 directed. Similarly non-taking a possession within one year from the date of the declaration under Section 6 of the Act could not bring about termination of the acquisition proceedings.

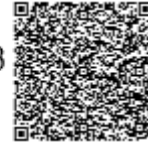
There is also force if the other contention of the counsel for the appellants that there is no material on record and the documents produced do not support to show that the instruction was communicated to the public at large or was gazetted."

The said order though part of the written statement was not brought to the notice of the Bench when the writ petition was taken up for hearing.

On the other hand, a reference was made to an order passed in Mitha Singh's case (supra) decided on 01.03.1984 against which Special Leave Petition was dismissed on 20.01.1995. Review petition was also dismissed on 19.10.1995 as well as the Curative Petition on 04.08.2010.

In terms of judgment of Hon'ble Supreme Court in Kunhayammed and others v. State of Kerala and another, (2000) 6 SCC 359, the dismissal of the Special Leave Petition does not amount to merger of the

2025:PHHC:047037-DB



order of the Hon'ble High Court with that of the order of Hon'ble Supreme Court. Therefore, the order passed by this Court on 01.03.1984 cannot be preferred in the face of the order of Hon'ble Supreme Court referred to above.

Since, the binding precedent was not noticed at the time of hearing of the petition holding that executive instructions cannot override the statutory provisions, we deem it appropriate to recall the order dated 16.11.2011 and restore the writ petition to its original number..."

For the reasons to be assigned hereinafter, this Court finds no merit in the writ petition(s) and the same are dismissed.

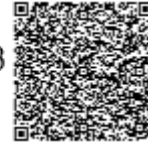
6. The primary contention of the learned counsel for the petitioners is rested upon the executive instructions dated 28.12.1979, issued by the respondent-State of Punjab, whereby, the time limit of three years, as embodied in the proviso under Section 6 (1) of the Land Acquisition Act, 1894, became reduced to one year from the prescribed therein period of three years. The said instructions become extracted hereinafter.

" The Governor of Punjab is pleased to reduce the time of 3 years laid down in proviso under Section 6 (1) of the Land Acquisition Act, 1894, regarding the issue of Notification under Section 6 ibid to one year, if the possession of land is not taken within one year after the issue of notification under Section 6, the same would be deemed to have lapsed.

2. *You are requested to ensure that the land which have been proposed to be acquired under Section 4 of the Land Acquisition Act, 1894 are taken possession of within one year invariably after the issue of the notification under Section 5.*

3. *The Governor of Punjab is further pleased to increase the rate of interest under Section 34 of the Land Acquisition Act, 1894 from 6 % to 10 % payable from the date of taking over possession of the land until the compensation is paid."*

2025:PHHC:047037-DB



7. It is apt to mention the order dated 05.05.1987 passed by the Hon'ble Supreme Court in ***Civil Appeal Nos 2218-20 and 2222-30 of 1984*** titled as '***The State of Punjab and Others Vs. Ranjit Singh and Others***, relevant paragraph whereof becomes extracted hereinafter.

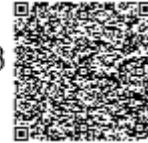
“It is not disputed that these acquisition notifications under Section 4 are of September 1976 and, therefore, the proviso in Section 6 of the Act applies. We accept the submission of the learned advocate for the appellant that the executive instruction was, therefore, not operative and acquisition proceedings validly initiated and pending could not be nullified in the manner the December 1979 directed. Similarly non-taking a possession within one year from the date of the declaration under Section 6 of the Act could not bring about termination of the acquisition proceedings.

There is also force if the other contention of the counsel for the appellants that there is no material on record and the documents produced do not support to show that the instruction was communicated to the public at large or was gazetted.”

8. A perusal of the above would reveal, that the Hon'ble Supreme Court, had held that the executive instructions, as, contained in letter dated 28.12.1979, rather could not abridge the period prescribed in the proviso in Section 6 of the Act of 1894, emphatically on the premise that through an executive instruction, there could be no alteration to the statutory provisions, whereupons, the supra instructions were declared to be *ultra vires* the statutory provisions contained in the Act of 1894.

9. Therefore, the instant writ claim which becomes hinged upon the executive instructions (supra) or any claim raised by the petitioner(s), upon, the verdict rendered by the learned Single Bench of this Court, upon, **CWP-869 of 1981** titled as **Parkash Singh Vs. State**

2025:PHHC:047037-DB



of Punjab and Another, or, upon, the verdict rendered in CWP No. 558 of 1984 titled as **Mitha Singh Toor and Others Vs. State of Punjab and Another**, wherebys, the acquisition proceedings initiated by the respondents became declared to be ex facie withdrawn or abandoned, rather in view of the supra executive instructions, thus become rendered rudderless in view of the binding precedent (supra) made by the Hon'ble Apex Court.

10. In addition, the relief relating to the writ lands, thus becoming released from acquisition, is to adjudicated in terms of the verdict made by the Hon'ble Apex Court rendered in case titled as 'Indore Development Authority Versus Manoharlal and others', to which Civil Appeal Nos. 09-011 of 2023, has been assigned, and, wherein, in the relevant paragraph thereof, para whereof stands extracted hereinafter, it becomes propounded, that when in respect of acquisition proceedings, as become launched, under the 'Act of 1894', rather upon the acquiring authority begetting compliance, with both the contingencies, spelt therein, thus thereby attractions of the lapsing provisions to the acquired lands, hence as required Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short 'the Act of 2013'), rather becoming unavailable for becoming recoured by the estate holders.

363. In view of the aforesaid discussion, we answer the questions as under:

1. Under the provisions of Section 24(1)(a) in case the award is not made as on 1.1.2014 the date of

2025:PHHC:047037-DB



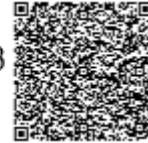
commencement of Act of 2013, there is no lapse of proceedings. Compensation has to be determined under the provisions of Act of 2013.

2. In case the award has been passed within the window period of five years excluding the period covered by an interim order of the court, then proceedings shall continue as provided under Section 24(1)(b) of the Act of 2013 under the Act of 1894 as if it has not been repealed.

3. The word 'or' used in Section 24(2) between possession and compensation has to be read as 'nor' or as 'and'. The deemed lapse of land acquisition proceedings under Section 24(2) of the Act of 2013 takes place where due to inaction of authorities for five years or more prior to commencement of the said Act, the possession of land has not been taken nor compensation has been paid. In other words, in case possession has been taken, compensation has not been paid then there is no lapse. Similarly, if compensation has been paid, possession has not been taken then there is no lapse.

4. The expression 'paid' in the main part of Section 24(2) of the Act of 2013 does not include a deposit of compensation in court. The consequence of non-deposit is provided in proviso to Section 24(2) in case it has not been deposited with respect to majority of land holdings then all beneficiaries (landowners) as on the date of notification for land acquisition under Section 4 of the Act of 1894 shall be entitled to compensation in accordance with the provisions of the Act of 2013. In case the obligation under Section 31 of the Land Acquisition Act of 1894 has not been fulfilled, interest under Section 34 of the said Act can be granted. Non-deposit of compensation (in court) does not result in the lapse of land acquisition proceedings. In case of non-deposit with respect to the majority of holdings for five

2025:PHHC:047037-DB



years or more, compensation under the Act of 2013 has to be paid to the "landowners" as on the date of notification for land acquisition under Section 4 of the Act of 1894.

5. In case a person has been tendered the compensation as provided under Section 31(1) of the Act of 1894, it is not open to him to claim that acquisition has lapsed under Section 24(2) due to non-payment or non-deposit of compensation in court. The obligation to pay is complete by tendering the amount under Section 31(1). Land owners who had refused to accept compensation or who sought reference for higher compensation, cannot claim that the acquisition proceedings had lapsed under Section 24(2) of the Act of 2013.

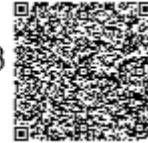
6. The proviso to Section 24(2) of the Act of 2013 is to be treated as part of Section 24(2) not part of Section 24(1)(b).

7. The mode of taking possession under the Act of 1894 and as contemplated under Section 24(2) is by drawing of inquest report/ memorandum. Once award has been passed on taking possession under Section 16 of the Act of 1894, the land vests in State there is no divesting provided under Section 24(2) of the Act of 2013, as once possession has been taken there is no lapse under Section 24(2).

8. The provisions of Section 24(2) providing for a deemed lapse of proceedings are applicable in case authorities have failed due to their inaction to take possession and pay compensation for five years or more before the Act of 2013 came into force, in a proceeding for land acquisition pending with concerned authority as on 1.1.2014. The period of subsistence of interim orders passed by court has to be excluded in the computation of five years.

9. Section 24(2) of the Act of 2013 does not give rise to new cause of action to question the legality of concluded

2025:PHHC:047037-DB



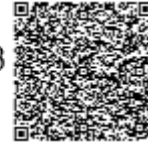
proceedings of land acquisition. Section 24 applies to a proceeding pending on the date of enforcement of the Act of 2013, i.e., 1.1.2014. It does not revive stale and time-barred claims and does not reopen concluded proceedings nor allow landowners to question the legality of mode of taking possession to reopen proceedings or mode of deposit of compensation in the treasury instead of court to invalidate acquisition.

11. A perusal of the reply on affidavit (**in CWP-2268-1999**) reveals, that the award in respect of the subject lands, became notified on 22.03.1978, besides possession thereof was also then taken. Moreover, Shri Satha Singh, who was predecessor-in-interest of the present petitioners is also disclosed on affidavit to receive the awarded compensation amount.

12. The facts (supra) when disclose that the predecessor-in-interest of the present petitioners, rather had received the assessed compensation amount (supra), therebys the present petitioners become completely estopped to claim the makings of any lapsing declaration vis-a-vis the launched acquisition proceedings. Fortifying reason for so stating ensues from the factum, that once the lawful owner of the subject lands, who is their predecessor-in-interest, rather through his receiving compensation in respect of the subject lands, when has therebys acquiesced to the validity of launchings of the acquisition proceedings. Resultantly, therebys too, the petitioners are bound by the said made acquiescence of their predecessor-in-interest.

13. Moreover, a perusal of the reply on affidavit (**in CWP-4797-1993**) reveals that the possession of the land in question was taken

2025:PHHC:047037-DB

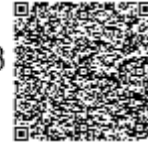


on 11.07.1998 and the petitioners have been paid enhanced compensation with interest from the date of taking possession i.e. 11.07.1978. Further, it is revealed therein that petitioner No. 1 (Sh. Jarnail Singh) had even filed Civil Misc. No. 1858 of 1987 praying that the applicants be held entitled to solatium @ 30 % and interest @ 9 % per annum for the first year and 15 % per annum thereafter. The said civil miscellaneous application became allowed by this Court, on 16.09.1987 and the petitioners were allowed interest @ 9 % for the first year from the date of their dispossession and @ 15 % thereafter till the date of payment of the enhanced compensation.

14. The effect of the above, is that, thereby the petitioner(s) are deemed to accept the validity of the launching of the acquisition proceedings, wherebys, they are further estopped from challenging the validity of the launching of the acquisition proceedings.

15. Consequently, since the acquiring authority has adduced sufficient/clinching discharging evidence, in respect of the duo of the apposite expostulated parameters, inasmuch as, (i) qua rapat possession being made over the acquired lands, (ii) and, qua the compensation, as became determined by the Collector concerned, becoming deposited for therebys its becoming available for being released to the land losers concerned, besides when the said events evidently happening before the coming into force of the 'Act of 2013'. In sequitur, the writ relief relating to both the acquisition proceedings, besides also the consequent thereto award becoming declared to become lapsed in terms of Section 24(2) of the 'Act of 2013', is but obviously rejected.

2025:PHHC:047037-DB

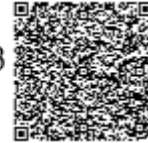


16. The further reason for dismissing the writ petition(s) becomes founded upon the factum that the instant petition(s), rather being hit by the gross pervasive vice(s) of delays and laches. The reason for making the above conclusion becomes sparked from the factum, that the challenge to the afore, has been made after almost twenty years elapsing (in CWP-4797-1993) and twenty five years (in CWP-2268-1999), since the launching of acquisition proceedings in the year 1974, under the 'Act of 1894'. Resultantly, with the extant petition(s) being hit by the above vice(s), as such, the writ petition(s) deserve becoming rejected.

17. Even the Hon'ble Apex Court in a judgment rendered in case titled ***"M/s Star Wire (India) Ltd. V/s State of Haryana and others"***, reported in (1996) 11 SCC 698, has in the relevant paragraph of its verdict, paragraph whereof becomes extracted hereinafter, thus declared that any belated challenge, as made to the relevant lawful fully terminated acquisition proceedings, thus is hit by the vices of delay and laches, and thereby too, the said belated motion as existing in the instant petition, is but required to be declared as misconstituted.

"Shri P.P. Rao, learned senior counsel for the petitioner, contends that the petitioner had no knowledge of the acquisition proceedings; as soon as it came to know of the acquisition, it had challenged the validity of the acquisition proceedings and, therefore, it furnishes cause of action to the petitioner. He further contends that the writ petition could not be dismissed on the ground of laches but was required to be considered on merits. We find no force in the contention. Any encumbrance created by the erstwhile owner of the land after publication of the notification under Section 4(1) does not bind the State if the possession of land is already taken over after the award came to be passed. The land stood vested in the State free from all

2025:PHHC:047037-DB



encumbrances under Section 16. In Gurmukh Singh & Ors. vs. The State of Haryana [J] 1995 (8) SC 208], this Court had held that a subsequent purchaser is not entitled to challenge the legality of the acquisition proceedings on the ground of lack of publication of the notification. In Y.N. Garg vs State of Rajasthan [1996 (1) SCC 284] and Sneh Prabha vs. State of U.P. [1996 (7) 325], this Court had held the alienation made by the erstwhile owner of the land after publication of the notification under Section 4(1), do not bind either the State Government or the beneficiary for whose benefit the land was acquired. The purchaser does not acquire any valid title. Even the colour of title claimed by the purchaser was void. The beneficiary is entitled to have absolute possession free from encumbrances. In U.P. Jal Nigam, Lucknow through its Chairman & Anr. vs. M/s Kalra Properties (P) Ltd., Lucknow & Ors. [(1996) 1 SCC 124], this Court had further held that the purchaser of the property, after the notification under Section 4(1) was published, is devoid of right to challenge the validity of the notification or irregularity in taking possession of the land before publication of the declaration under Section 6. As regards laches in approaching the Court, this Court has been consistently taking the view starting from State of Madhya Pradesh & Anr. vs. Bhailal Bhai & Ors. [AIR 1964 SC 1006] wherein a Constitution Bench had held that it is not either desirable or expedient to lay down a rule of universal application but the unreasonable delay denies to the petitioner, the discretionary extraordinary remedy of mandamus, certiorari or any other relief. The same was view reiterated in catena of decisions, viz., Rabindranath Bose & Ors. vs. The Union of India & Ors. [(1970 (1) SCC 84]; State of Mysore & Ors. vs. Narsimha Ram Naik [AIR 1975 SC 2190]; Aflatoon & Anr. vs. Lt. Governor of Delhi [(1975) 4 SCC 285]; M/s. Tilokchand Motichand & Ors. vs. H.B. Munshi, Commissioner of Sales Tax, Bombay & Anr. [AIR 1970 SC 898]; State of Tamil Nadu & Ors. etc. V. L. Krishnan & Ors. etc. [JT 1995 (8) SC 1]; Improvement Trust, Faridkot & Ors. vs. Jagjit Singh & Ors. [1987 Supp. SCC 608]; State of Punjab & Ors. vs. Hari Om Co-operative House Building Society Ltd., Amritsar [1987 Supp. SCC 687]; Market Committee, Hodal vs. Krishan Murari & Ors. [JT 1995 (8) SC 494] and State of Haryana vs. Dewan Singh [(1996 (7) SCC 394] wherein this Court had held that the High Court was not justified in interfering with the acquisition proceedings. This Court in the latest judgement in Municipal Corporation of Great Bombay vs. The Industrial Development & Investment Co. Pvt. Ltd. & Ors. [JT 1996 (8) SC 16], reviewed the entire case law and held that the person who approaches the Court belatedly will be told that laches close the gates of

2025:PHHC:047037-DB



the Court for him to question the legality of the notification under Section 4(1), declaration under Section 6 and the award of the Collector under Section 11. ”

Final Order of this Court.

18. In aftermath, this Court finds no merit in the writ petition(s), and, with the above observations, the same are dismissed. The impugned notification(s), and consequent thereto award are maintained and affirmed.
19. No order as to costs.
20. Since the main cases itself have been decided, thus, all the pending application(s), if any, also stand(s) disposed of.
21. A photocopy of this order be placed on the file of other connected case.

(SURESHWAR THAKUR)
JUDGE

01.04.2025
kavneet singh

(VIKAS SURI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No