

**CM-10449-CWP-2025 in
RA-CW-317-2025 in
CWP-5178-1997**

2025:PHHC:103147-DB



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-10449-CWP-2025 in
RA-CW-317-2025 in
CWP-5178-1997
Date of Decision: August 08, 2025**

M/S SHRI GANESH SPINNING MILLS

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Divya Suri, Advocate for the applicant-petitioner.

Mr. Shivendra Swaroop, Advocate for
Mr. Ankur Mittal, Addl. AG, Haryana.

LISA GILL, J.

1. Present application has been filed for review of decision dated 13.08.2024 passed in CWP-5178-1997, whereby said writ petition filed by M/s Shri Ganesh Spinning Mills challenging notifications dated 10.05.1989 and 09.05.1990 issued under Sections 4 and 6 of Land Acquisition Act, 1887 (for short – ‘the Act’) respectively, was dismissed, alongwith CWP-5177-1997.

2. In decision dated 13.08.2024, review of which is sought, it is noted that petitioners had purchased land in question on 03.03.1989 and notification under Section 4 of the Act had been issued on 10.05.1989. It was found that photographs had been taken between the period 16.07.1989 to 05.04.1990 which shows that construction on the land in question was still going on. It has been

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categorically held that construction was raised/completed by petitioners after notification under Section 4 of the Act was issued, thus, they cannot take benefit of their own illegal acts. It has also been noted that no material has been placed on record to show that building plans were sanctioned by any authority or any permission sought from the concerned Authority to raise industrial unit/spinning mill, prior to issuance of notification dated 10.05.1989 under Section 4 of the Act. It is recorded that State had released 3 kanal 10 marlas out of 8 kanal 3 marlas of land belonging to the present applicant-petitioner. It was in the wake of this factual matrix that no merit was found in the argument(s) raised by applicant-petitioner and CWP-5178-1997 filed by petitioner was dismissed alongwith CWP-5177-1997 titled as M/s Sawan Spinning Mills and others versus State of Haryana and others. It is duly noted in order dated 13.08.2024 that civil suit had been filed by petitioners and having failed in their attempt to scuttle acquisition proceedings by such resort, writ petition(s) was/were filed in the year 1997. SLP(C) No.9307 of 2025 filed by petitioners challenging said decision dated 13.08.2024, was disposed of by Hon'ble the Supreme Court on 02.04.2025 reserving liberty to applicant-petitioners to file review petition, if so advised. Present application has now been filed on 23.07.2025.

3. Learned counsel for applicant-petitioners vehemently argues that there is a factual error in order dated 13.08.2024 inasmuch as it is recorded that State has released 7 kanal 10 marlas out of 8 kanal 3 marlas owned by petitioner – M/s Shri Ganesh Spinning Mills whereas it is only 3 kanal 10 marlas of petitioner's total land measuring 8 kanals 3 marlas, which has been released. It is further contended that partial release of petitioner's land cannot negate their right to seek relief because such partial release itself threatens the very

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functionality and viability of their industrial unit. Opportunity of personal hearing was never afforded to petitioners before issuance of notification dated 09.05.1990 under Section 6 of the Act and objection submitted by applicants were never considered. It is, thus, prayed that this application be allowed, impugned order dated 13.08.2024 be reviewed and writ petition be allowed as prayed for.

4. Learned counsel for respondents has refuted the arguments as raised and seeks dismissal of present application.

5. We have heard learned counsel for parties.

6. A careful perusal of this file reveals that two writ petitions were decided vide order dated 13.08.2024 i.e. CWP-5178-1997 titled 'M/s Shri Ganesh Spinning Mills versus State of Haryana and others' from which present application arises and CWP-5177-1997 titled 'M/s Sawan Spinning Mills and others versus State of Haryana and others'. It is further a matter of record that land belonging to petitioner was 8 kanals 3 marlas, out of which 3 Kanals 10 marlas was released. Land owned by M/s Sawan Spinning Mills i.e. petitioner in CWP-5177-1997 was 16 kanals 17 marlas out of which 7 kanals 10 marlas of land was released. This is also borne out from the written statement(s) filed on behalf of respondents, in both the writ petitions. Learned counsel for respondents also affirms the same.

7. It is apparent that it is by way of sheer inadvertence, it is mentioned in order dated 13.08.2024 that 7 kanals 10 marlas out of land of 8 kanals 3 marlas belonging to M/s Shri Ganesh Spinning Mills and 3 kanals 10 marlas out of the land measuring 16 kanals 17 marlas belonging to M/s Sawan Spinning Mills was released. Same cannot in any manner have any effect on the

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sum and substance of order dated 13.08.2024 or ultimate decision therein.

Therefore, this ground does not in any manner vest applicant-petitioner with a right to reagitate the whole issue in the garb of present review application. Apart from factual error as noted above, which appears to have crept in due to sheer inadvertence, with both the writ petitions being decided together, we are of the considered opinion that all pleas as have been raised before us in this application have been succinctly dealt with in decision dated 13.08.2024. RA-CW-295-2025 in CWP-5177-1997 (M/s Sawan Spinning Mills and others versus State of Haryana and others) has been dismissed on 30.07.2025.

8. In the given factual matrix, it is directed that land owned by petitioner as mentioned in paras 3 and 8 of order dated 13.08.2024 shall read as 8 kanals 3 marlas and land released would read as 3 kanals 10 marlas and in respect to M/s Sawan Spinning Mills land owned by it would read as 16 kanals 17 marlas and land released of said petitioner would read as 7 kanals 10 marlas. Necessary correction be carried out in order dated 13.08.2024.

9. With abovesaid modification, application is dismissed.

**(LISA GILL)
JUDGE**

**(MEENAKSHI I. MEHTA)
JUDGE**

**August 08, 2025
Rts**

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