
(2011) 03 P&H CK 0328

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 11484 of 1990 (O and M)

Gian Chand and Others

APPELLANT

Vs

The State of Haryana and Others

RESPONDENT

Date of Decision : 22-03-2011

Acts Referred:

Land Acquisition Act, 1894 — Section 4, 6

Citation : (2011) 03 P&H CK 0328

Hon'ble Judges : Rakesh Kumar Garg, J; Jasbir Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Jasbir Singh, J.—Heard counsel for the parties.

2. This writ petition has been filed against notifications issued under Sections 4 and 6 of the Land Acquisition Act, 1894, on February 8, 1989, and February 7, 1990, respectively, proposing to acquire 369.94 Acres of land for a public purpose, namely, development and utilization of land as residential and commercial area.

3. At the time of arguments, Shri Sehgal has shown us a judgment passed by a Division Bench of this Court on October 7, 2010, dismissing CWP No. 4542 of 1990 (M/S Mann Cold Storage and Ors. v. State of Haryana and Ors. In title of this writ petition, reliance has also been placed upon the above said case. After going through the judgment passed in the case of M/S Mann Cold Storage's case (supra), we are convinced that the ratio of the judgment covers the controversy involved in this writ petition.

4. In view of above, this writ petition is dismissed in terms of the judgment dated October 7, 2010, dismissing CWP No. 4542 of 1990. However, we make it very clear that if some land has been released, as mentioned in the written-statement, the order of release will remain intact.