
(2010) 04 P&H CK 0017
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 20355 of 2009

Kehar Singh and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 05-04-2010

Acts Referred:

Land Acquisition Act, 1894 — Section 4, 6

Citation : (2010) 04 P&H CK 0017

Hon'ble Judges : M.M. Kumar, J;Jitendra Chauhan, J

Bench : Division Bench

Advocate : N.C. Kinra and Mr. Raj Kumar Gupta, for the Appellant; Palika Monga, DAG, Haryana, Mrs. Shallie Taneja for Mr. Arun Walia and Mr. Rajat Khanna, for the Respondent

Final Decision : Dismissed

Judgement

M.M. Kumar, J.—This order shall dispose of the aforementioned three petitions because the challenge in these petitions has been made to the same notifications dated 15.12.2006 and 14.12.2007, issued under Sections 4 and 6 of the Land Acquisition Act, 1894 (for brevity, "the Act"). The respondent State of Haryana has acquired the land for a public purpose, namely, for residential Sector 36, Rohtak, under the Haryana Urban Development Authority Act, 1977, by the Haryana Urban Development Authority. It is an admitted position that award in the acquisition proceedings in question was passed on 9.12.2009 before filing of these petitions, which were filed on 21.12.2009, 15.1.2010 and 10.2.2010 respectively.

2. Having heard learned counsel for the parties we find that no ground is made out to accept the contention raised by the petitioners and to quash the acquisition proceedings subject matter of these petitions. It is conceded position on record that the award in the present case has already been announced on 9.12.2009 before filing of the petitions. It is well settled that no writ petition would be competent after passing of award because possession of land, free from

all encumbrances was taken and it is deemed to vest in the State Government. In that regard reliance may be placed on the judgments of Hon"ble the Supreme Court rendered in the cases of Municipal Corporation of Greater Bombay Vs. The Industrial Development Investment Co. Pvt Ltd., and others, ; The Municipal Council, Ahmednagar and Another Vs. Shah Hyder Beig and Others, ; C. Padma and Others Vs. Dy. Secretary to the Govt. of T.N. and Others, ; Star Wire (India) Ltd. Vs. State of Haryana and Others, and Swaika Properties Pvt. Ltd. and Another Vs. State of Rajasthan and Others, .

3. In view of above, these writ petitions fail and the same are dismissed. A photocopy of this order be placed on the files of connected cases.