
(2012) 07 P&H CK 0051
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 13106 of 2012

Ujagar Singh

APPELLANT

Vs

State of Punjab and ors

RESPONDENT

Date of Decision : 16-07-2012

Acts Referred:

Land Acquisition Act, 1894 — Section 4, 6

Citation : (2012) 07 P&H CK 0051

Hon'ble Judges : Rajiv Narain Raina, J; Hemant Gupta, J

Bench : Division Bench

Advocate : Mohit Jaggi, for the Appellant;

Final Decision : Dismissed

Judgement

Hemant Gupta, J.—Challenge in the present writ petition is to the notification dated 21.2.2000 (Annexure P-1) issued u/s 4 of the Land Acquisition Act, 1894 (for short the "Act") and the notification dated 2.2.2001 (Annexure P-2) u/s 6 of the Act. The petitioner has sought to challenge the said notifications on the ground that there exist a constructed house in a land measuring 3 marlas i.e. 1/4th share in land comprised in Khasra No. 107//19 (8-0) and 1/8th share out of land comprised in Khasra No. 107//12(7-7). A perusal of the writ petition shows that after the notification, the Award (Annexure P-3) was announced on 17.5.2001 and the compensation deposited. In fact, the petitioner has sought determination of the market value in terms of Section 18 of the Act and that not only the Reference Court but this Court has also determined the compensation vide the judgment dated 11.5.2011.

2. It appears that the petitioner wants to take the benefit of SLP pending before the Hon"ble Supreme Court arising out of the Civil Writ Petition No. 7050 of 2001, Kapoor Singh and ors vs. State of Punjab and others, which was dismissed by this Court, challenging the aforesaid notifications.

3. Apart from the reasons recorded therein, we find that the present petition has

been filed even after a gross delay and laches and even when the compensation for the land acquired has been received by the petitioner. In fact the petitioner availed the remedy of appeal against the amount of determination of compensation. Dismissed.