

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

C.W.P. No. 18500 of 2003

Date of Decision: 19.2.2008

Surender Sharma

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE T.P.S. MANN

Present: None for the petitioner.

Ms. Palika Monga, AAG, Haryana,
for the respondents.

M.M. KUMAR, J.

The prayer made by the petitioner in the instant petition is for quashing notification dated 15.12.2000 (Annexure P.2), issued under Section 4 of the Land Acquisition Act, 1894 (for brevity, 'the Act') and declaration dated 6.12.2001 (Annexure P.8), issued under Section 6 of the Act. It is admitted position that the instant petition was filed on 20.11.2003.

Ms. Palika Monga, learned State counsel at the outset has pointed out that in the instant case notifications under Sections 4 and 6 of the Act were issued on 4.12.2000 and 3.12.2001 respectively and award in this case was announced on 11.9.2003.

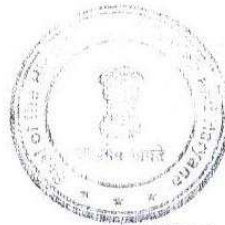
PUNJAB & HARYANA HIGH COURT

Having heard the learned State counsel, we are of the considered view that it has been repeatedly held by Hon'ble the Supreme Court that no writ petition would be competent after the announcement of award. For the afore-mentioned view, we place reliance on the judgments of Hon'ble the Supreme Court in the cases of Star Wire (India) Ltd. v. State of Haryana, (1996) 11 SCC 698; Municipal Council Ahmednagar v. Shah Hyder Beig, (2000) 2 SCC 48; and C. Padma v. Dy. Secretary to the Government of Tamil Nadu, (1997) 2 SCC 627. The possession of the land was taken and it was transferred to the Haryana Urban Development Authority, as per the stand of the respondents, taken in para 18 of the written statement.

For the reasons mentioned above, the writ petition fails and the same is dismissed.

Sd/- M. M. Kuma
Judge

Sd/- T. P. S. Mann
Judge



February 19, 2008
Pkapoor

True Copy
Examiner 10/2/08

DFAade
10/2/08
1/3/08