



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

CWP NO.25397 OF 2024 (O&M)

Delhi Catholic Archdiocese through its Secretary ...Petitioner

Versus

State of Haryana and others ...Respondents

1.	The date when the judgment is reserved	12.11.2025
2.	The date when the judgment is pronounced	02.12.2025
3.	The date when the judgment is uploaded	02.12.2025
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any of the pronouncement of full judgment, and reasons thereof	Not applicable

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present : Mr. Umang Bansal, Advocate and
Mr. Shivansh Gulati, Advocate,
for the petitioner.

Mr. Saurabh Mago, DAG, Haryana.

LAPITA BANERJI, J.

The prayer in the present petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ of Certiorari for setting-aside of Award No.8 dated March 23, 1993 (Annexure P-1) passed by the Land Acquisition Collector (LAC), Urban Estates, Gurugram. The petitioner has also prayed for issuance of a writ for Mandamus for de-notifying the land in dispute under Scheme No.45 (Annexure P-6) of Haryana Urban Development Authority (HUDA) and for restoring the title



CWP No.25397 of 2024 (O&M)

of the petitioner by entering its name in the revenue records in place of HUDA.

2. The brief facts of the case are as follows:

i) The petitioner is a registered society which was the owner of land ad measuring 04 kanals 04 marlas (i.e 0.52 acres or 22868 sq. ft.) in Khasra No.39/13 and 14/1 situated at village Kanhei, Tehsil and District Gurugram.

ii) The petitioner purchased the land in dispute vide registered sale deed dated June 07, 1963 from Chattar Singh, Maan Singh Pisran and Chankaur r/o village Kanhei, District Gurgaon. The sale deed was duly executed at the office of Joint Sub-Registrar, Gurgaon vide No.440 dated June 07, 1963.

iii) Pursuant to the said purchase, the name of the petitioner society through its President was entered into the revenue records vide Mutation No.1218 dated March 23, 1993 reflected in the Jamabandi for the year 2004-2005.

iv) The disputed land was acquired by the State for the proposed development of Sector-45, Gurugram by HUDA. The impugned Award No.8 was passed by the Land Acquisition Collector (for short "LAC"), Urban Estates, Gurugram, Haryana on March 23, 1993. A primary Health Care Centre and a Church had already been constructed over the disputed land at the time of acquisition of the same.

v) The petitioner filed a representation dated February 27, 2023 before respondent No.3-The Estate Officer-II, HUDA, Gurugram, to de-



CWP No.25397 of 2024 (O&M)

notify the disputed land under Scheme No.45 floated by HUDA but the representation was not responded to.

vi) The petitioner again submitted a reminder letter dated December 04, 2023 to respondent No.3 but the prayer of petitioner went unheeded.

vii) Due to the inaction on the part of respondent authorities the petitioner has claimed that the acquisition proceedings have lapsed under Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the 2013 Act”) as neither the physical possession of the land had been taken by the State authorities nor was any compensation paid to it.

SUBMISSIONS

3. Mr. Bansal, learned counsel appearing on behalf of the petitioner society submits that no notice of the Award as required under Section 12 (2) of the Land Acquisition Act, 1894 (hereinafter referred to as “the 1894 Act”) was given to the petitioner society, resulting in lapsing of the impugned Award dated March 23, 1993. Furthermore, neither the physical possession of the disputed land was taken by the State nor was any compensation paid by the State to the petitioner.

4. It has been vehemently argued on behalf of the petitioner that the despite passage of 31 years from the date of acquisition, the public purpose for which the land had been acquired, remained unfulfilled. The land still remains vacant/unutilised and the peaceful possession of the same is still with the petitioner society upon which it had constructed a primary health centre and a church, prior to commencement of the acquisition



CWP No.25397 of 2024 (O&M)

proceedings. Therefore, it is contended that due to non-utilisation of the land coupled with the petitioner being in possession of the same for 31 years, the proceedings are deemed to have lapsed under Section 24 (2) of the 2013 Act. Therefore, the disputed land should be released/de-notified and the mutation entries should be rectified to substitute the name of the petitioner in place and stead of HUDA.

5. Mr. Mago, learned DAG, Haryana, appearing for the State on advance notice, filed a status report which was taken on record on September 04, 2025. Relying on the said status report, he submits that the petition ought to be dismissed *in limine* as the same has been filed after an inordinate delay of 31 years from the date of passing of the Award on March 23, 1993. He further submits that notification dated April 20, 1990 under Section 4 of the 1894 Act was issued for acquiring land ad measuring 1148.91 acres in village Kanhei, Tehsil and District Gurugram. Declaration dated April 18, 1991 was issued under Section 6 of the 1894 Act for acquiring 1068.64 acres of land which was followed by Award No.8 dated March 23, 1993 announcing compensation in respect of 948.95 acres of land. The disputed land of the petitioner society was acquired for public purpose of constructing residential, commercial, institutional and recreational (open space) area in Gurugram Sectors 44 to 46.

6. After issuance of notification under Section 4 of the 1894 Act, objections under Section 5-A of the 1894 Act were invited from all affected land owners. No objection was filed on behalf of the petitioner-society under Section 5-A and therefore, the challenge to the acquisition proceedings is not maintainable. He relies on the judgment of Hon'ble



CWP No.25397 of 2024 (O&M)

Supreme Court “*Delhi Administration v. Gurdeep Singh Urban and others*” reported in *AIR 1999 SC 3822*, to contend that once objections under Section 5-A of the 1894 Act have not been filed by the land owners they could not be permitted to contend that the declaration under Section 6 of the 1894 Act must be struck down or that the acquisition proceedings have lapsed due to the Award not being brought to the knowledge of the landowners.

7. The entire amount of compensation under Award No.8 of 1993 was duly tendered in the LAC Office at the time of announcing of the Award. Since the petitioner did not come forward to receive the compensation amount to the tune of Rs.86,676.75/- the same had to be deposited before learned ADJ Court which was done vide Memo No.8028 dated December 08, 2022. Furthermore, the possession of the land was taken by the State by drawing up of Memorandum of Possession/*Rapat Roznamcha* No.425 dated March 23, 1993 and the disputed land was handed over to the authorised representative of Haryana Shehri Vikas Pradhikaran (HSVP) on the very same day. Therefore, the acquisition proceedings stood complete in all respects and the land stood vested in the beneficiary department of the State i.e HSVP.

8. Referring to the approved layout plan, it is submitted on behalf of the State that the land stands utilised as nine plots of 02 marlas, 01 green, 01 park, 01 nursery school site, 01 R.B site, 01 hospital site and 03 of 10 metre wide road, are proposed to be constructed on the acquired land. Therefore, there was no question of lapsing of the acquisition proceedings under Section 24 (2) of the 2013 Act. Reliance is placed on the judgment of



“Indore Development Authority v. Manohar Lal and others” reported in (2020) 8 SCC 129, to submit that no prayer on the petitioner’s behalf under Section 24 (2) of the 2013 Act is maintainable as not only the possession of the land was taken by drawing of the *Rapat Roznamcha* on March 23, 1993, but also the entire awarded compensation was tendered to the LAC at the time of passing of the Award.

DISCUSSION AND FINDINGS

9. This Court has heard learned counsel for the parties and perused the material on record.

10. The petitioner without challenging the notification under Section 4 of the 1894 Act dated April 20, 1990 and the declaration dated April 18, 1991, issued under Section 6 of the 1894 Act has sought to challenge only the Award dated March 23, 1993 passed under the said Act by filing the instant writ petition in the year 2024. It is significant to note that no objection under Section 5-A of the 1894 Act was filed by the petitioner. For the first time in 2023, it made a representation before the authorities for release of its land i.e after 30 years of the passing of the Award. Thereafter, the petitioner has approached this Court 31 years after the passing of the Award dated March 23, 1993 without providing any explanation whatsoever, as to the reason for the said delay in approaching the Court. Moreover, during the course of arguments also, no explanation whatsoever was provided for such a belated approach in challenging the acquisition proceedings.

11. Given the conduct/lackadaisical attitude of the petitioner, this Court is of the firm view that instant writ petition is hit by the principles of



delay, acquiescence and laches. 31 years of delay in approaching the Court seeking de-notification/release of the disputed land and consequent mutation reflecting the name of petitioner in the ownership column, is fatal to the prayer of the petitioner.

12. The concepts of delay, laches and acquiescence has been succinctly explained by the Apex Court in ***Union of India v. N. Murugesan***, reported in (2022) 2 SCC 24. The relevant extract thereof is reproduced hereinafter:

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Delay, laches and acquiescence

20. The principles governing delay, laches, and acquiescence are overlapping and interconnected on many occasions. However, they have their distinct characters and distinct elements. One can say that delay is the genus to which laches and acquiescence are species. Similarly, laches might be called a genus to a species by name acquiescence. However, there may be a case where acquiescence is involved, but not laches. These principles are common law principles, and perhaps one could identify that these principles find place in various statutes which restrict the period of limitation and create non-consideration of condonation in certain circumstances. They are bound to be applied by way of practice requiring prudence of the court than of a strict application of law. The underlying principle governing these concepts would be one of estoppel. The question of prejudice is also an important issue to be taken note of by the Court.

Laches

21. The word “laches” is derived from the French language meaning “remissness and slackness”. It thus involves unreasonable delay or negligence in pursuing a claim involving an equitable relief while causing prejudice to the other party. It is neglect on the part of a party to do an act which law requires while asserting a right, and therefore, must stand in the way of the party getting relief or remedy.

22. Two essential factors to be seen are the length of the delay and the nature of acts done during the interval. As stated,



it would also involve acquiescence on the part of the party approaching the court apart from the change in position in the interregnum. Therefore, it would be unjustifiable for a Court of Equity to confer a remedy on a party who knocks its doors when his acts would indicate a waiver of such a right. By his conduct, he has put the other party in a particular position, and therefore, it would be unreasonable to facilitate a challenge before the court. Thus, a man responsible for his conduct on equity is not expected to be allowed to avail a remedy.

23. *A defence of laches can only be allowed when there is no statutory bar. The question as to whether there exists a clear case of laches on the part of a person seeking a remedy is one of fact and so also that of prejudice. The said principle may not have any application when the existence of fraud is pleaded and proved by the other side. To determine the difference between the concept of laches and acquiescence is that, in a case involving mere laches, the principle of estoppel would apply to all the defences that are available to a party. Therefore, a defendant can succeed on the various grounds raised by the plaintiff, while an issue concerned alone would be amenable to acquiescence.*

Acquiescence

24. *We have already discussed the relationship between acquiescence on the one hand and delay and laches on the other.*

25. *Acquiescence would mean a tacit or passive acceptance. It is implied and reluctant consent to an act. In other words, such an action would qualify a passive assent. Thus, when acquiescence takes place, it presupposes knowledge against a particular act. From the knowledge comes passive acceptance, therefore instead of taking any action against any alleged refusal to perform the original contract, despite adequate knowledge of its terms, and instead being allowed to continue by consciously ignoring it and thereafter proceeding further, acquiescence does take place. As a consequence, it reintroduces a new implied agreement between the parties. Once such a situation arises, it is not open to the party that acquiesced itself to insist upon the compliance of the original terms. Hence, what is essential, is the conduct of the parties. We only dealt with the distinction involving a mere acquiescence. When acquiescence is followed by delay, it may become laches. Here again, we are inclined to hold that the concept of acquiescence is to be seen on a case-to-case basis.*
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13. In *Brijesh Kumar and others v. State of Haryana and Others*, SLP (Civil) No.6609-13 of 2014 reported in (2014) 11 SCC 351, the petitioners challenged the awarded compensation under Section 18 of the Land Acquisition Act, 1894, after a period of 10 years, 02 Months and 29 days. The High Court had refused to condone the delay in spite of the fact that the other land owners, who had preferred the appeals in time, were granted higher compensation. While dismissing the appeal, the Hon'ble Supreme Court made the following observations:

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7. *The Privy Council in General Accident Fire and Life Assurance Corp. Ltd. v. Janmahomed Abdul Rahim, relied upon the writings of Mr Mitra in Tagore Law Lectures, 1932 wherein it has been said that:*

A law of limitation and prescription may appear to operate harshly and unjustly in a particular case, but if the law provides for a limitation, it is to be enforced even at the risk of hardship to a particular party as the Judge cannot, on equitable grounds, enlarge the time allowed by the law, postpone its operation, or introduce exceptions not recognized by law.

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11. *It is also a well-settled principle of law that if some person has taken a relief approaching the court just or immediately after the cause of action had arisen, other persons cannot take benefit thereof approaching the court at a belated stage for the reason that they cannot be permitted to take the impetus of the order passed at the behest of some diligent person.*

12. *In State of Karnataka v. S.M. Kotrayya this court rejected the contention that a petition should be considered ignoring the delay and laches on the ground that he filed the petition just after coming to know of the relief granted by the court in a similar case as the same cannot furnish a proper explanation for delay and laches. The Court observed that such*



a plea is wholly unjustified and cannot furnish any ground for ignoring delay and laches.

xxx”

[Emphasis supplied]

14. In ***Mewa Ram (deceased) by his LRs and others v. State of Haryana through the Land Acquisition Collector, Gurgaon***, reported in *1986 (4) SCC 151*, the Hon’ble Apex Court dismissed the Special Leave Petitions on the ground that the petitioners could not plead their own laches, as a sufficient ground for condonation of delay. It held that the time stipulated for re-determination of the awarded compensation under Section 28-A should be adhered to, as any other view taken by the Courts would lead to disastrous consequences, not intended by the legislature. Therefore, the following conclusion was arrived at:

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7. *There is no reason for us to grant special leave in these cases which are hopelessly barred by time and there is no justification for condonation of inordinate delay.*

8. *The special leave petitions are accordingly dismissed with costs.”*

15. In a recent judgment passed in ***Union of India and another v. Jahangir Byramji Jeejeebhoy (D) SLP (Civil) No. 21096 of 2019*** reported in *2024 SCC OnLine SC 489*, the Hon’ble Apex Court refused to condone the delay of 12 years and 158 days in filing of the restoration application before the High Court. The High Court had refused to entertain an application filed by the appellants for exercise of its jurisdiction under Article 227 of the Constitution of India for condoning the delay of 12



years and 158 days, when the same was dismissed for non-prosecution.

The Apex Court categorically made the following findings:-

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24. *In the aforesaid circumstances, we made it very clear that we are not going to look into the merits of the matter as long as we are not convinced that sufficient cause has been made out for condonation of such a long and inordinate delay.*

25. *It hardly matters whether a litigant is a private party or a State or Union of India when it comes to condoning the gross delay of more than 12 years. If the litigant chooses to approach the court long after the lapse of the time prescribed under the relevant provisions of the law, then he cannot turn around and say that no prejudice would be caused to either side by the delay being condoned. This litigation between the parties started sometime in 1981. We are in 2024. Almost 43 years have elapsed. However, till date the respondent has not been able to reap the fruits of his decree. It would be a mockery of justice if we condone the delay of 12 years and 158 days and once again ask the respondent to undergo the rigmarole of the legal proceedings.*

26. *The length of the delay is a relevant matter which the court must take into consideration while considering whether the delay should be condoned or not. From the tenor of the approach of the appellants, it appears that they want to fix their own period of limitation for instituting the proceedings for which law has prescribed a period of limitation. Once it is held that a party has lost his right to have the matter considered on merits because of his own inaction for a long, it cannot be presumed to be non-deliberate delay and in such circumstances of the case, he cannot be heard to plead that the substantial justice deserves to be preferred as against the technical considerations. While considering the plea for condonation of delay, the court must not start with the merits of the main matter. The court owes a duty to first ascertain the bona fides of the explanation offered by the party seeking condonation. It is only if the sufficient cause assigned by the litigant and the opposition of the other side is equally balanced that the court may bring into aid the merits of the matter for the purpose of condoning the delay.*

27. *We are of the view that the question of limitation is not merely a technical consideration. The rules of limitation are based on the principles of sound public policy and principles of equity. We should not keep the 'Sword of Damocles' hanging*



over the head of the respondent for indefinite period of time to be determined at the whims and fancies of the appellants.

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16. From the aforesaid exposition of law, it is clear that this petition is liable to be dismissed on the ground of delay alone but at the insistence of the learned counsel for the petitioner the same is considered on merits as well. Even on merits, the claim of the petitioner cannot be entertained as the law is now well settled by the Constitution Bench judgment in ***Indore Development’s*** case (*supra*). It is unambiguously held by the said judgment that once the possession had been taken over by the State by drawing up of *Rapat Roznamcha*/Memorandum of Possession, it would amount to taking of physical possession by the State and the land would completely vest in the State, free from all encumbrances. After vesting, the State becomes the absolute owner of the land and no contention with regard to non-utilisation of the land for challenging the title of the State can be entertained. The owner ceases to have control over the land and retention of possession of the disputed land by him would only be in the capacity of a trespasser.

17. Relevant extract from the ***Indore Development’s*** case (*supra*) is reproduced herein below:

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245. *The expression used in Section 24(1)(b) is “where an award under Section 11 has been made”, then “such proceedings shall continue” under the provisions of the said 1894 Act as if the said Act has not been repealed. The expression “proceedings shall continue” indicates that proceedings are pending at the time; it is a present perfect tense and envisages that proceedings must be pending as on the date on which the 2013 Act came into force. It does not*



apply to concluded proceedings before the Collector after which it becomes functus officio. Section 24 of the 2013 Act, does not confer benefit in the concluded proceedings, of which legality if questioned has to be seen in the appropriate proceedings. It is only in the pending proceedings where award has been passed and possession has not been taken nor compensation has been paid, it is applicable. There is no lapse in case possession has been taken, but amount has not been deposited with respect to majority of landholdings in a pending proceeding, higher compensation under the 2013 Act would follow under the proviso to Section 24(2). Thus, the provision is not applicable to any other case in which higher compensation has been sought by way of seeking a reference under the 1894 Act or where the validity of the acquisition proceedings have been questioned, though they have been concluded. Such case has to be decided on their own merits and the provisions of Section 24(2) are not applicable to such cases.

246. Section 16 of the 1894 Act provided that possession of land may be taken by the State Government after passing of an award and thereupon land vest free from all encumbrances in the State Government. Similar are the provisions made in the case of urgency in Section 17(1). The word "possession" has been used in the 1894 Act, whereas in Section 24(2) of the 2013 Act, the expression "physical possession" is used. It is submitted that drawing of panchnama for taking over the possession is not enough when the actual physical possession remained with the landowner and Section 24(2) requires actual physical possession to be taken, not the possession in any other form. When the State has acquired the land and award has been passed, land vests in the State Government free from all encumbrances. The act of vesting of the land in the State is with possession, any person retaining the possession, thereafter, has to be treated as trespasser and has no right to possess the land which vests in the State free from all encumbrances.

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274. It was submitted on behalf of landowners that under Section 24 the expression used is not possession but physical possession. In our opinion, under the 1894 Act when possession is taken after award is passed under Section 16 or under Section 17 before the passing of the award, land absolutely vests in the State on drawing of panchnama of taking possession, which is the mode of taking possession. Thereafter, any re-entry in possession or retaining the possession is wholly illegal and trespasser's possession inures



for the benefit of the owner and even in the case of open land, possession is deemed to be that of the owner. When the land is vacant and is lying open, it is presumed to be that of the owner by this Court as held in Kashi Bai v. Sudha Rani Ghose [AIR 1958 SC 434]. Mere re-entry on government land once it is acquired and vests absolutely in the State (under the 1894 Act) does not confer any right to it and Section 24(2) does not have the effect of divesting the land once it vests in the State.

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277. In V.Chandrasekaran v. Administrative Officer, the land was acquired and possession was handed over to the authorities. Later on the land was sold, documents were manipulated, and flats were constructed in an illegal manner. It was held that the land once acquired, cannot be restored. The State has no right to reconvey the land and no person can claim such a right nor derive an advantage. Sale of land after a notification under Section 4 of the LA Act was held to be void. It was held in the facts of the case that the judicial process cannot be used to subvert its way. Such persons must not be permitted to profit from the frivolous litigation, and they must be prevented from taking false pleas from relying on forged documents or illegal action.”

[Emphasis Supplied]

18. Therefore, the contention raised on behalf of the petitioner that since he is still in physical possession of the acquired land the same should be de-notified, is frivolous and devoid of any merit. Furthermore, this Court is of the opinion that once the amount of compensation is tendered, meaning thereby the amount is made available to the land owners for their collection, the State's obligation to make payment stands discharged. The land owners cannot be forced to receive the tendered amount and in case they have not accepted the same they cannot be allowed to take advantage of their own inaction.

19. The view of this Court finds support in *Indore Development's* case (*supra*) and the relevant extract is reproduced hereinafter:



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206. It was submitted that mere tender of amount is not payment. The amount has to be actually paid. In our opinion, when amount has been tendered, the obligation has been fulfilled by the Collector. Landowners cannot be forced to receive it. In case a person has not accepted the amount wants to take the advantage of non-payment, though the amount has remained due to his own act. It is not open to him to contend that amount has not been paid to him, as such, there should be lapse of the proceedings. Even in a case when offer for payment has been made but not deposited, liability to pay amount along with interest subsist and if not deposited for majority of holding, for that adequate provisions have been given in the proviso also to Section 24 (2). The scheme of the Act of 2013 in Sections 77 and 80 is also the same as that provided in Sections 31 and 34 of the Act of 1894.

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20. A perusal of the status report would reveal that the total amount of compensation to the tune of Rs.86,676.75 payable to the petitioner was duly tendered and readily made available for disbursement to the petitioner. However, the petitioner deliberately chose not to receive the said amount. Out of the total awarded amount of Rs.12,27,47,937.60/- for the entirety of the acquired land, an amount of Rs.11,20,50,371.55/- has already been disbursed to the land owners who had come forward to collect the compensation amount. The balance amount of compensation is ready for disbursement but the landowners cannot be forced to receive it.

21. A perusal of the status report also indicates that the notification under Section 6 of the 1894 Act was published in Haryana government's official gazette and two daily newspapers “The Tribune (English)” and “Nav Bharat Times (Hindi)” on November 14, 1992. Once the declaration is published in the official gazette, the same is presumed to be notice to the public at large. Therefore, the contention of the petitioner that it was



unaware of the notification along with the Award dated March 23, 1993, is bereft of any merit. A beneficial reference may be made to the Apex Court's judgment in '*Special Deputy Collector, Land Acquisition, CMDA v. J. Sivaprakasam and others*' reported in (2011) 1 SCC 330. Relevant extract thereof is reproduced hereinafter:

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21. The purpose of publication of the notification is twofold: First is to ensure that adequate publicity is given so that the landowners and persons interested will have an opportunity to file their objections under Section 5-A of the Act. Second is to put the landowners/occupants on notice that government officers will be entering upon the property for carrying on the activities enumerated in Section 4(2) of the Act. Section 4(1), before its amendment in 1984, required publication of the preliminary notification only in the Official Gazette and public notice of the substance of the notification at convenient places in the locality.

22. This Court, in M.P. Housing Board v. Mohd. Shafi [(1992) 2 SCC 168] explained the object of issuing a notification under Section 4 of the Act thus:

“8. ... The object of issuing a notification under Section 4 of the Act is twofold. First, it is a public announcement by the Government and a public notice by the Collector to the effect that the land, as specified therein, is needed or is likely to be needed by the Government for the 'public purpose' mentioned therein; and secondly, it authorises the departmental officers or officers of the local authority, as the case may be to do all such acts as are mentioned in Section 4(2) of the Act. The notification has to be published in the locality and particularly persons likely to be affected by the proposal have to be put on notice that such an activity is afoot. The notification is, thus, required to give with sufficient clarity not only the 'public purpose' for which the acquisition proceedings are being commenced but also the 'locality' where the land is situate with as full a description as possible of the land proposed to be acquired to enable the 'interested' persons to know as to which land is being acquired and for what purpose and to take further steps under the Act by filing objections, etc. since it is open to such persons to canvass the non-suitability of the land for the alleged 'public purpose' also. If a notification under Section 4(1) of the Act is defective and does not comply with the requirements of the Act, it not only vitiates the notification,



but also renders all subsequent proceedings connected with the acquisition, bad.”

23. By Amendment Act 68 of 1984, Section 4(1) was amended introducing the additional requirement relating to publication of the notification in two daily newspapers circulating in the locality. The purpose of requiring such newspaper publication is to give as wide a publicity to the notification as possible, as the State Gazettes do not have a wide circulation and causing public notice of the substance of the notification at convenient places in the locality would give notice only in specific pockets in the locality. The legislature therefore provided for publication in two newspapers (of which at least one being in the regional language) to have a wider reach. Having regard to the object and purpose of the provision, it is evident that publication should be in newspapers which have a reasonably good circulation in the locality. If the publication is to be made in obscure newspapers having only token or insignificant circulation, either to cut the cost of publication or by way of political or official patronage, that will defeat the very purpose of providing for publication in newspapers.

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No attempt has been made to explain the reason for non-filing of objections under Section 5-A of the 1894 Act. Neither any allegation with regard to the aforesaid two newspapers not having wide circulation has been brought on record. Therefore, the argument with regard to lack of knowledge of the acquisition proceedings of the petitioner cannot be accepted.

22. Pursuant to the above mentioned discussion, this Court has no hesitation to hold that the present writ petition is a frivolous attempt to seek de-notification/release of the land acquired as far as 31 years back, without providing any explanation whatsoever as to the reason for such inordinate delay in approaching the Court.



CWP No.25397 of 2024 (O&M)

23. Accordingly, the writ petition, being CWP No.25397 of 2024 is **dismissed**, not only being hit by the principles of *delay, acquiescence and laches* but also on merits as the land after being completely vested in State was handed over by the State to HSVP and stands utilised as on date, in terms of the approved layout plan.

24. Connected application(s), if any, shall also stand disposed of accordingly.

(DEEPAK SIBAL)
JUDGE

(LAPITA BANERJI)
JUDGE

DECEMBER 02, 2025
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No