



**Writ Petition M/S No. 1668 of 2016**

Maheshwar Prasad & others

.....Petitioners

Versus

State of Uttarakhand & others

.....Respondents

Present:-

Mr. Aditya Singh, Advocate for the petitioners.  
Mr. Anurag Bisaria, Standing Counsel for the State/respondent No.1.  
Mr. Devesh Ghildiyal, Advocate for respondent No.3.

**Hon'ble Sudhanshu Dhulia, J. (Oral)**

Petitioners claim title over a piece of land which is measuring 4.75 hectares in Khasra No. 370, Village Mauza, Raipur Kheri Khadar, Pargana Parwa Doon, District Dehradun. According to the petitioners, Khasra No. 370 was to be acquired and for the said purpose notification under Sections 4 and 6 of the Land Acquisition Act was issued on 23.02.1988 and 08.04.1988 respectively. The acquisition proceedings of the land which is presently under dispute were initiated in the year 1988.

2. According to the petitioners, there was in fact no notification under Section 4 of the Land Acquisition Act or any other subsequent Section for acquisition of their land. Nevertheless, the land has been acquired. Thereafter, the award of the land was made on 28.04.1990 and subsequently, the possession was also taken by the concerned Collector. Petitioners' claim title on the said land and has filed the writ petition before this Court seeking the possession of the land.

3. In my considered view, this petition is not only a highly belated but there has been no effort made by



the petitioners in the writ petition to show cause as ~~2018:UHC:1116~~ why such a delay has been caused and why it should be entertained after a period of more than 25 years. It is an extremely stale claim made by the petitioners after a gap of more than 25 years.

4. This petition is liable to be dismissed on the ground of laches alone.

5. Consequently, the writ petition stands dismissed.

**(Sudhanshu Dhulia, J.)**  
19.02.2018

Ankit/