

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.7132 OF 2003

HARI CHAND(DEAD)THROUGH L.RS. & OTHERS

.....APPELLANTS

VERSUS

STATE OF HARYANA & OTHERS

.....RESPONDENTS

O R D E R

This appeal is directed against order dated 10.02.2003 passed by the Division Bench of the Punjab and Haryana High Court whereby Writ Petition No.12483 of 2000 filed by the appellants questioning the acquisition of their land situated in villages Tundla, Tundli and Jenetpur, Tehsil and District Ambala was dismissed by simply relying upon order dated 17.05.2001 passed in Civil Writ Petition No.11567 of 2000 - Hari Chand etc. vs. State of Haryana & Ors.

We have heard learned counsel for the parties and perused the record.

In our view, the High Court committed serious error by summarily dismissing the writ petition. There cannot be any doubt that the acquisition of land is a serious matter and a petition filed under Article 226 of the Constitution questioning the notifications issued under the Land Acquisition

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Act, 1894 and similar others statutes should ordinarily be decided after calling upon the respondents to file reply and examining the relevant records. Summary dismissal of such petition should be an exception.

The issues raised in the writ petition filed by the appellants required detailed examination and the High Court was not at all justified in dismissing the same by making a reference to the order passed in Civil Writ Petition

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed order is placed on the file)