

ITEM NO.40

COURT NO.5

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).13348/2012

(From the judgement and order dated 05/04/2011 in CWP No.7711/2009 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NEW VIDYA NIKETAN EDUCATION SOCIETY

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(With office report)

Date: 10/05/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.Pallav Shishodia, Sr.Adv.
Mr.N.P.Singh, Adv.
Mr.S.K.Singh, Adv.
Mr.Gopal Prasad, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

This petition is directed against order dated 5.4.2011 passed by the Division Bench of the Punjab and Haryana High Court whereby the petitioner's challenge to the acquisition of its land was negatived.

We have heard Sheri Pallav Shishodia, learned senior counsel for the petitioner for considerable length and perused the record.

In our view, the detailed reasons assigned by the High Court for refusing to nullify the acquisition proceedings do not

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suffer from any legal error warranting interference under Article 136 of the Constitution, more so because the petitioner, who was a lessee of the acquired land had raised construction in violation of the Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act, 1963.

We may also mention that SLP(C) No. 28469 of 2011 - Tek

Ram Dahiya and others v. State of Haryana and others filed against the order impugned in this petition was summarily dismissed by this Court on 31.10.2011.

The special leave petition is accordingly dismissed.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master