

Improvement Trust, Faridkot and Others

Vs

Jagjit Singh and Others

Civil Appeals Nos. 3401 and 3794-95 of 1984

23.07.1987

ORDER

1. We have heard learned counsel for the parties. The High Court allowed the writ petitions out of which these appeals arise relying upon its decision in *Ralley Shyam Gupta v. State of Haryana* [1982 PLJ 349]. In a large number of case disposed of by this Court already this Court has disapproved the decision in *Ralley Shyam Gupta* case [1982 PLJ 349] and set aside the orders of the High Court by which it had quashed the acquisition proceedings which had been completed several years prior to the date on which the petitions were presented before it. We are of the view that there was no justification to set aside the acquisition proceedings impugned in these cases. We accordingly allow these appeals, set aside the judgment of the High Court and dismiss the writ petitions filed before the High Court.

2. It is, however, submitted by the learned counsel for the respondents (writ petitioners in the High Court) that some of the respondents have constructed some shop buildings on the land in question subsequent to the commencement of the acquisition proceedings and that this Court should direct the Faridkot Improvement Trust to consider whether the land on which the shop buildings are standing may be released or reconveyed after acquisition in favour of the concerned respondents. This is a matter which should be considered by the Faridkot Improvement Trust. We hope that the Trust will take a reasonable decision on this limited prayer made by the learned counsel for the respondents. We, however, express no opinion on the request made by the respondents.

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