



# Requisitioned Land and War Works Act 1945

1945 CHAPTER 43 8 and 9 Geo 6

## PART III

### HIGHWAYS

#### 19 Validity and date of operation of orders under Part III.

- (1) As soon as may be after making an order under this Part of this Act, the Minister shall publish in the manner specified in subsection (1) of section seventeen of this Act a notice that the order has been made and that copies thereof may be obtained from a place specified in the notice on payment of such sum (not exceeding one shilling) as may be so specified.
- (2) If any person aggrieved by any such order desires to question the validity thereof, or of any provision contained therein, on the ground that it is not within the powers of this Part of this Act or that any requirement of this Part of this Act has not been complied with in relation to the order, he may, within six weeks from the date on which the notice aforesaid is last published in a newspaper in accordance with subsection (1) of this section, make an application to the High Court, and on any such application the Court—
  - (a) may by an interim order suspend the operation of the order or any provision contained therein, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings; and
  - (b) if satisfied that the order of any provision contained therein is not within the powers of this Part of this Act or that the interests of the applicant have been substantially prejudiced by any requirement of this Part of this Act not having been complied with, may quash the order of any provision contained therein, either generally or in so far as it affects any property of the applicant.
- (3) Subject to the provisions of the last preceding subsection, an order under this Part of this Act shall not, either before or after it has been made, be questioned in any legal

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proceedings whatsoever and shall become operative on the date on which such notice is last published as aforesaid.

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