

Court No. - 21

Case :- WRIT - C No. - 32885 of 2023

Petitioner :- Smt. Jagrania

Respondent :- Secretary Of Road Transport And National Highways And 2 Others

Counsel for Petitioner :- Arun Kumar Tripathi

Counsel for Respondent :- C.S.C.,A.S.G.I.,Swetashwa Agarwal,Vijay Raj Pal

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. The instant petition has been filed praying for a direction to the respondents to pay compensation to the petitioner in accordance with law for having acquired her house and to decide the representation dated 8.02.2023.
2. The case of the petitioner is that she is owner of land measuring 105 sq. meters through sale deed dated 12.01.2004. Her residential house is in existence over the said land. The respondents have acquired it but no compensation has been paid to her so far.
3. The Project Director, NHAI, Kanpur has filed his affidavit on behalf of respondent no.2 and wherein the stand taken is that award for the subject land alongwith other lands acquired under the provisions of the National Highways Act, 1956 was made on 7.02.2018. The compensation amount has been deposited with the Competent Authority.
4. Sri Rajeev Gupta, learned Additional Chief Standing Counsel appearing on behalf of the State respondents, on instruction, states that on 9.11.2023 the Competent Authority had addressed a communication to the Project Director, NHAI, Kanpur requesting him to submit a report in relation to evaluation of the standing structure so that the compensation amount is released in favour of the petitioner.
5. Sri Swetashwa Agarwal, learned counsel appearing on behalf of NHAI states that NHAI will submit its report in response to letter dated 9.11.2023 within two weeks.
6. Accordingly, we dispose of the instant petition by providing that as soon as report is submitted by the Project Director, NHAI, the Competent Authority will proceed to make valuation of the super

structure and pay compensation for the acquired land and super structure standing over it to the petitioner in accordance with law within next four weeks, provided there is no other legal impediment.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, J.)

Order Date :- 20.11.2023

SL