



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPMS/2242/2026</u> Shivani --Petitioner Versus Competent Authority Special Land Acquisition Officer --Respondent <u>Hon'ble Manoj Kumar Tiwari, J</u> 1. Mr. Sagar Kothari, learned counsel for the petitioner. 2. Mr. Mahavir Prasad Kohli, learned Brief Holder for the State of Uttarakhand. 3. Mr. Naresh Pant, learned counsel for the respondent-NHA is connected virtually. 4. According to petitioner, she purchased a piece of land admeasuring 252.7 Sq. Meter situate at Mauza Easter Hope Town, Tehsil Vikasnagar, District Nainital from Mr. Anand Kumar Mehrotra & Smt. Manju Mehrotra by registered sale deed dated 12.04.2022; the said land was acquired by National Highways Authority of India for construction of National Highway No. 72, however, the compensation, payable for such acquisition, has not been paid to her. 5. By means of this writ petition, petitioner has sought the following reliefs:- (i) issue a writ, order or direction in the nature



			of mandamus, commanding/directing the respondents to release and pay full and fair compensation to the petitioner for her acquired land, alongwith interest and all statutory benefits, as provided under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. (ii) issue a direction to the respondents to determine and release the entire compensation amount within a fixed time frame, preferably within three months. 6. Learned State Counsel, on instructions, submits that notification under Section 3D of National Highways Act, 1956 was issued on 18.08.2021, and petitioner purchased the land thereafter, on 12.04.2022. He submits that upon issuance of notification under Section 3D of the Act, the land stands vested in the Central Government free from all encumbrances. Thus, he submits that the sale, if any, made in favour of petitioner does not convey any title to her. 7. Learned counsel for the petitioner submits that the amount payable as compensation has not been released either in favour of petitioner nor her predecessor in interest. He submits that petitioner's predecessor in interest has given a NOC that if the compensation is released in favour of petitioner, then he has no objection. 8. Without expressing any opinion on merits of the claim staked by petitioner, this Court thinks that ends of justice would be met if petitioner is permitted to make representation to the Competent Authority. 9. Learned counsel for the petitioner
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			submits that petitioner has already made a representation on 11.06.2024 to the Competent Authority Land Acquisition. 10. The writ petition is, accordingly, disposed of with a direction to the Competent Authority Land Acquisition to examine the claim staked by petitioner and pass appropriate order, after providing opportunity of hearing to NHA. This Court hopes and expects that decision in the matter, one way or the other, shall be taken by the Competent Authority Land Acquisition, within four months from the date of presentation of certified copy of this order. (Manoj Kumar Tiwari, J) 27.07.2026 Aswal
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