

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.23084 of 2015

Date of decision: 30.10.2015

Pardeep Singh & others

....Petitioners

VERSUS

Union of India and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioners.

HEMANT GUPTA, J.(ORAL)

By way of present writ petition, the petitioners dispute the Award rendered by the competent Authority under the National Highways Act, 1956 (for short 'the Act') in respect of super-structure as well as claim of solatium and interest in terms of the Land Acquisition Act, 1894.

Having heard learned counsel for the petitioners, we find that in respect of claim of super-structure, the petitioners have an effective alternative remedy by approaching the Central Government for appointment of an Arbitrator in terms of Section 3G of the Act. The petitioners may seek such remedy in accordance with law.

However, the issue in respect of solatium and interest is covered by a Division Bench judgment of this Court in M/s Golden Iron and Steel Forgings v. Union of India and others, 2011 (4) R.C.R. (Civil) 375, wherein it has been held that benefits as are available under the Land

Acquisition Act, 1894 are available in respect of acquisition of land under the National Highways Act, 1956 as well. Similar issue has been dealt with by another Division Bench of this Court in CWP No.3902 of 2015 titled Usha Rani v. Union of India and others, decided on 10.03.2015.

In view of the said fact, the present writ petition is disposed of in the same terms as in Usha Rani's case (supra), subject to the decision of Hon'ble Supreme Court in Civil Appeal No.10695 of 2011 titled M/s Golden Iron & Steel Forgings v. Union of India and others.

(HEMANT GUPTA)
JUDGE

30.10.2015
Vimal

(DEEPAK SIBAL)
JUDGE