

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12266 of 2016
Date of Decision: 06.09.2016

Umed Singh

... Petitioner

VS.

Union of India & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDIP AHLUWALIA

- | | |
|--|-----------------|
| 1. Whether speaking/reasoned? | Yes / No |
| 2. Whether reportable? | Yes / No |
| 3. Whether Reporters of local papers may be allowed to see the judgment? | Yes / No |
| 4. To be referred to the Reporters or not? | Yes / No |
| 5. Whether the judgment should be reported in the Digest? | Yes / No |

Present: Mr. Narender Singh Gill, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The case has been called twice. No one appears on behalf of the petitioner. On the previous date of hearing also, the petitioner remained unrepresented. In these circumstances we proceed to decide the case on merits.

(2) The petitioner has laid challenge to the notifications dated 13.03.2015 followed by notice dated 19.09.2015 whereby a part of his land has been acquired by National Highway Authority of India for the widening, maintenance, management and operation of National Highway-10 on the stretch of the land from 112.210 km to 115.700 km and 119.850 km to 170.000 km Rohtak-Hisar Section falling in District Hisar.

(3) The grievance of the petitioner appears to be that earlier also in the year 2009-2010 his land was acquired for the widening of same National Highway, hence there is no justification to acquire his left out small chunk of land. It is claimed that the width of the highway is already 100 ft. and there is no necessity to further widen it.

(4) Having given our thoughtful consideration to the pleas taken by the petitioners, we are satisfied that no case to interfere with the impugned acquisition process is made out. The acquisition of land for widening of the National Highway is surely for a *bona fide* public purpose. It is not the case of petitioner that his previously acquired land or the instant acquisition is actually not to be used for widening of the National Highway. The question whether the subject National Highway should be 6-lane or 4-lane has to be left to the wisdom of the authorities who take such like decisions keeping in view the flow of traffic. So long as the petitioner's land is utilized for a public purpose and is not diverted for the private benefit of an individual, no fault can be found with the action of the respondents.

(5) Dismissed.

(Surya Kant)
Judge

06.09.2016
vishal shonkar

(Sudip Ahluwalia)
Judge