

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

CWP No.14518 of 2016 (O&M)

Date of Decision: 02.09.2016

M/s Dass Rice and Oil Mills

..... Petitioner

Versus

National Highways Authority of India and others

.... Respondents

**CORAM: HONBLE MR. JUSTICE SURYA KANT
HONBLE 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. Amit Arora, Advocate for the petitioner.

Mr. Ish Puneet Singh, Advocate for respondent Nos.1 and 2.

SURYA KANT J. (ORAL)

1. Heard learned counsel for the parties.
2. The prayer in this writ petition is to direct the Sub Divisional Magistrate-cum-Competent Authority, National Highway Authority of India, District Tarn Taran to refer the application moved by the petitioner for apportionment of compensation to the Principal Civil Court of competent jurisdiction at Tarn Taran in view of Section 3H(4) of the National Highways Act, 1956.
3. For the reasons mentioned in our order dated 22.08.2016 in *CWP No. 16984 of 2016*, the instant writ petition is allowed with a direction to respondent No.3 to refer the dispute *re:* apportionment of compensation to the Principal Civil Court of competent jurisdiction within a period of one month from the date of receipt of certified copy of this order.

**(SURYA KANT)
JUDGE**

02.09.2016

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**