

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

**CWP No. 15933 of 2015
Date of decision: 28.04.2016**

Vikram Singh

...Petitioner

Vs.

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG**

Present : Mr. Chander Kant Rana, Advocate for
Mr. Satbir Rathore, Advocate
for the petitioner.

Mr. Sunil K. Sharma, Advocate
for respondent No. 1-UOI.

Mr. Umesh Aggarwal, Advocate for
Mr. Raghujeet Madan, Advocate
for respondent No. 2.

Mr. Saurabh Mago, AAG, Haryana.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner by way of this petition filed under Articles 226/227 of the Constitution of India has sought quashing of order dated 01.07.2015 (Annexure P-7) passed by respondent No. 3 whereby the dispute has been referred to the Principal Court of original jurisdiction as per the provisions of the National Highways Act, 1956 (for short 'the Act') for apportionment of amount of compensation.

2. Notice of motion was issued and the reply has been filed on behalf of respondent No. 3 wherein it has been stated that the petitioner has claimed compensation of the acquired land as share holder in land bearing Khasra Nos. 24//16/2, 25/2, 30//1/2 whereas other lease holders have also claimed compensation of land in dispute, therefore, the dispute of

apportionment of the amount of compensation arose. Hence, the matter was referred by respondent No. 3 to the Principal Court of original jurisdiction as per provisions under Section 3H(4) of the Act.

3. A plain reading of Section 3H(4) of the Act spells out that wherein any dispute arises as to the apportionment of the amount or any part thereof or to any person to whom the same or any part thereof is payable, the competent authority is to refer the dispute to the principal civil court of original jurisdiction within the limits of whose jurisdiction the land is situated.

4. In view thereof, we do not find any infirmity in the impugned order. Consequently, the writ petition is dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(RAJ RAHUL GARG)
JUDGE

April 28, 2016
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