

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20653 of 2016

Date of Decision: October 03, 2016

Labh Singh

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.M.L.Saini, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

Notice of motion to respondent No.3 only at this stage.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice.

Let two copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent No.3 or to serve respondent Nos.1 & 2 at this stage as no order prejudicial to their interest is being passed.

The grievance of the petitioner is that his land was acquired by the National Highways Authority of India for widening of National

Highway No.5. The award was passed way back on 29.09.2015. As per the said award, the petitioner was entitled to compensation of Rs.30,24,699/- but no amount has been paid by the Sub-Divisional Magistrate-cum-Land Acquisition Collector, Ludhiana though the same has been already deposited with that Authority by the National Highways Authority of India.

If that is so, we direct the Land Acquisition Collector to release the due amount of compensation to the petitioner alongwith upto date interest as permissible under the law. The cost of Rs.10,000/- shall also be paid to the petitioner which be personally recoverable from the Sub-Divisional Magistrate-cum-Land Acquisition Collector, Ludhiana (West). The State Government or the National Highways Authority of India shall not reimburse the same. However, if there is some valid justification for the Land Acquisition Collector for with-holding the due amount of compensation, liberty is granted to seek modification/ clarification of this order qua imposition of cost.

The writ petition stands disposed of accordingly.

Let a copy of this order be given dasti to Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, for information and necessary compliance.

[SURYA KANT]
JUDGE

October 03, 2016

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[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No