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

CWP No.27333 of 2015 (O&M)

Date of Decision: 25.10.2016

Sarup Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HONBLE MR. JUSTICE SURYA KANT
HONBLE MR. JUSTICE SUDIP AHLUWALIA**

- | | |
|--|--------|
| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | 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. Vivek Khatri, Advocate,
for the petitioner.

Mr. R.D. Sharma, DAG, Haryana.

Ms. Sonia Madan, Advocate,
for respondent No.4.

SURYA KANT J. (ORAL)

The petitioner seeks the release of compensation in respect of his acquired land, fully described in the headnote of the writ petition, which was acquired by the National Highway Authority of India for widening of National Highway No.65.

2. Respondent No.4-Land Acquisition Collector, Hisar, has filed his written statement explaining that compensation to the tune of ₹6,53,690/- could not be released to the petitioner as there is a dispute over entitlement between the petitioner and ten alleged legal heirs of late Lachhman Singh s/o Ram Dat. Due to that dispute the compensation amount

has now been deposited with the District Judge, Hisar to whom the application for adjudication of the dispute has also been referred to under Section 3-H (4) of the National Highways Act, 1956 (for short 'the Act').

3. We have heard learned counsel for the parties.

4. In the event of any dispute as to the apportionment of compensation amount, the only recourse is to refer the dispute to the Principal Civil Court of original jurisdiction as per Sub Section (4) of Section 3-H of the Act. Since such a recourse has been adopted by the Land Acquisition Collector, Hisar though belatedly, the only direction that can be issued in the instant case is to direct the learned Civil Court to make an endeavour to resolve the dispute as early as possible and preferably within six months. Till such time, the compensation deposited by the Authority may be kept in FDR in a nationalized Bank so that the interest which would accrue thereupon can also be released to the parties who is/are found entitled to the same.

5. Ordered accordingly.

(SURYA KANT)
JUDGE

25.10.2016

Bhumika

(SUDIP AHLUWALIA)
JUDGE