

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

**CWP No. 26836 of 2016
Decided on : 22.12.2016**

Fateh Singh

... Petitioner

Versus

National Highway Authority of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Sudhir Aggarwal, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking direction to the respondent-authorities to release the solatium and interest thereon to the petitioner being the land owner under the National Highways Act, 1956 (in short 'the Act').

2. Since, the writ of *Mandamus* has been sought to be issued and the petitioner has approached this Court without first approaching the respondent-authorities for redressal of his grievance, therefore, after arguing for sometime, it was prayed that liberty may be granted to the petitioner to first approach the respondent-authorities by filing a detailed and comprehensive representation in the light of judgment of this Court rendered in the case “**M/s Golden Iron and Steel Forgings Vs. Union of India and others, 2011 (4) RCR (Civil) 375**”.

3. After hearing learned counsel for the petitioner, perusing the petition and without expressing any opinion on the merits of the case, we

consider it appropriate to dispose of the writ petition by permitting the

petitioner to file detailed and comprehensive representation by claiming the solatium and interest in respect of the acquisition made under the Act within a period of two months from today. In case such representation is filed by the petitioner, the same shall be decided by the respondent-authorities within three months therefrom, after affording an opportunity of hearing to the petitioner and by passing a speaking order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

December 22, 2016

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No