

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 7669 of 2016

Date of Decision: 27.4.2016

Sarla Aggarwal

....Petitioner.

Versus

Sub Divisional Magistrate (West), Ludhiana and others

...Respondents.

1. Whether the Reporters of the 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?

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

PRESENT: Mr. C.S. Bakhshi, Advocate with
Mr. Harpreet Sandhu, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. Through the instant petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing respondent No.1 to decide the objection petition dated 2.11.2015 (Annexure P-2). Further, a writ of certiorari has been sought for quashing the letter dated 26.2.2016 (Annexure P-3) and for quashing the notice inviting bids dated 11.2.2016 (Annexure P-5) vide which the bids have been invited for construction of the road without deciding the objections, Annexure P-2 filed by the petitioner.

2. A public notice dated 12.10.2015 (Annexure P-1) was

published in the Tribune for acquisition of land of the petitioner situated at village Malakpur. The petitioner filed objections dated 2.11.2015 (Annexure P-2) under Section 3-C of the National Highways Act, 1956 before respondent No.1. Respondent No.1 vide letter dated 26.2.2016 (Annexure P-3) directed respondent No.4 to decide the objections of the petitioner. The petitioner moved an application dated 25.2.2016 (Annexure P-4) to respondent No.1 for deciding the objection, but to no effect. However, instead of deciding the objections of the petitioner, respondent No.2 issued a public notice dated 11.2.2016 (Annexure P-5) inviting bids for the construction of Highway. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has filed objections dated 2.11.2015 (Annexure P-2) before respondent No.4, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.1 to decide the objections dated 2.11.2015 (Annexure P-2), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of one month from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

April 27, 2016
gbs

(RAJ RAHUL GARG)
JUDGE