

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

CWP No.12588 of 2015
Date of decision : 03.04.2017

Jaswant Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. J.S. Rozera, Advocate for the petitioners.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana.

AMIT RAWAL, J. (Oral)

The petitioners have approached this Court with following relief:-

“For setting aside the impugned order dated 29.05.2015 (Annexure P-2), whereby the 50% share of standing trees within 3 meters of the roadside has been denied by the respondent No.2 to the petitioners, which is illegal and against the Rules/policy and also against the order dated 12.08.2005 issued by the State of Haryana (Annexure P-1) and further issuing a writ in the nature of mandamus directing the respondents to comply the policy and give the 50% share to the farmers/petitioners.

It is further directing the respondents not to cut the leftover trees from the roadside during the pendency of the present writ petition.”

Learned counsel for the State submits that as per the policy, the

claim of the petitioners has been considered as the land has already been acquired for widening of the National Highway.

Prime grievance of the petitioners has already been vindicated as noticed in the order dated 12.01.2017 passed by this Court. What is left is regarding the compensation of the trees which according to the petitioners has been erected on the boundary of the land adjoining to the roadside and while granting compensation under the National Highway Act, no compensation qua trees has been granted.

For the trees, petitioners have remedy to seek the reference before the Arbitrator against the order of competent authority assessing the amount of compensation in respect of the land acquired under the National Highway Act.

Accordingly, present writ petition stands disposed of in aforementioned terms.

03.04.2017

pawan

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No