

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

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CWP No.23502 of 2017

Date of Decision:12.10.2017

Balwinder Singh and others

....petitioners

Versus

Union of India and another

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Ravish Bansal, Advocate
for the petitioners

ARUN PALLI, J. (ORAL):

Notice of motion.

Mr.Sunil Kumar Sharma, Senior Panel Counsel for Union of India and Mr.Jagmohan Ghumman, DAG Punjab, present in the Court, accept notice on behalf of respondents No.1 and 2, respectively. Copies furnished.

For, the nature of order I propose to pass, no formal written statement/counter affidavit on behalf of the respondents are indeed necessary, at this stage. Thus, with the consent of learned counsel for the parties, the petition is being disposed of finally.

The petitioners purport to be the co-sharers in a land that was acquired under the National Highways Act, 1956 (for short, 'the 1956 Act'). The competent authority, vide award dated 31.10.2014 (Annexure P2), assessed the value of the acquired land.

The limited grievance that the petitioners have, is that they have not been awarded compensation, in proportion to their share in the joint khata. Resultantly, they had moved the competent authority i.e.respondent No.2, vide application dated 26.05.2017 (Annexure P3),

under Section 3-H(4) of the 1956 Act, to refer the dispute between the parties to the civil Court. It is urged that although, a considerable time has elapsed but the matter has not made any tangible progress.

As apposed to this, learned counsel for the respondents submit that grievance of the petitioners as also their application dated 26.05.2017 (Annexure P3), shall be considered and decided by the competent authority within a period of eight weeks from today and the appropriate orders, in accordance with law, shall be passed.

Accordingly, the petition is disposed of in the above terms. Needless to assert that in the event the grievance or claim of the petitioners is not found tenable, the competent authority shall pass a comprehensive order, assigning reasons, in support thereof.

October 12, 2017
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(ARUN PALLI)
JUDGE

Whether speaking/reasoned Yes/No.

Whether reportable- Yes/No