

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

**CWP No. 29829 of 2017 (O&M)
Date of Decision: 22.12.2017**

Jaswinder Kaur

...Petitioner

Versus

Commissioner, Patiala Division, Patiala (Exercising the Power of
Arbitrator) and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ranjit Singh Sidhu, Advocate for
Mr. Gopal Singh Nahel, Advocate
for the appellants.

ARUN PALLI, J. (ORAL)

This is a petition under Article 226/227 of the Constitution of India, praying for a writ in the nature of Mandamus, directing respondent No.1 to expedite the proceedings of the petition in Case No. MA 1670 of 2015 (Jaswinder Kaur Vs. Union of India and others), filed by the petitioner under Section 3G (5) of the National Highways Act, 1956, (for short 'Act of 1956'),

The land holding of the petitioner was acquired by the respondent authorities pursuant to a notification under Section 3-A(1) of the Act of 1956. Vide award dated 15.1.2014, the competent authority assessed the value of the acquired land. Being aggrieved by the assessment as also the compensation, the petitioner moved the arbitrator under Section 3G (5) of the Act of 1956. The limited grievance that the petitioner has is; that

CWP No. 29829 of 2017 (O&M)

although a considerable time has elapsed but the proceedings before the arbitrator have not made any tangible progress. If that is so, the petitioner ought to have made an appropriate prayer/application in this regard before the arbitrator himself (respondent No.1), in the first instance. This Court is sanguine that if any such prayer/application is moved, the same shall be appropriately dealt with and the arbitrator shall make every endeavour to conclude the proceedings as expeditiously as possible.

The petition is accordingly disposed of with the abovesaid observations.

22.12.2017
AK Sharma

(ARUN PALLI)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO