

CM-1111-2018 in/and  
CWP-11298-2017 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CM-1111-2018 in/and  
CWP-11298-2017 (O&M)  
Date of Decision: April 25, 2018

Devinder Pal Singh Kang and another

.....Petitioners

Versus

The Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

- |    |                                                                       |         |
|----|-----------------------------------------------------------------------|---------|
| 1. | To be referred to the Reporters or not?                               | Yes/No  |
| 2. | Whether the judgment should be reported in the Digest?                | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No  |

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Present: Mr.S.S.Rangi, Advocate for the petitioners.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.

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**SURYA KANT, J.**

On the previous date of hearing, the following order was  
passed:-

“Learned counsel for the petitioners has pointed out from the award dated 16.9.2016 (Annexure P5) that khasra Nos. 4/3/2 and 4/4 land measuring 0.5 marla and 0.10 marla, respectively, have also been acquired for the National Highway Authority of India (hereinafter referred to as “NHAI”). Hence, the petitioners who are owners of those khasra numbers are entitled to compensation as per law. Since the respondents, in their

written statements, are denying the acquisition of above stated two khasra numbers, the Sub Divisional Magistrate-cum-Land Acquisition Collector, Fatehgarh Sahib and Tehsildar, Khamano are directed to demarcate the land in the presence of the petitioners and submit a report to the competent authority as to whether or not the above stated two khasra numbers fall within the acquired land and whether the possession of these two khasra numbers is with the NHAI or still with the petitioners/owners only. If it is found that these khasra numbers are also part of the acquired land or are in the possession of NHAI, needless to say that the petitioners are entitled to compensation in accordance with law. However, if it is found that these two khasra numbers are not acquired and are not in possession of the NHAI, let physical possession thereof be restored in favour of the petitioners after the demarcation. Needful shall be done within two months from the date of receipt of a certified copy of this order.

List on 25.04.2018.”

[2] In deference to the above-stated order, the Sub Divisional Magistrate-cum-Competent Authority has filed the status report in which it is candidly acknowledged that land of the petitioners measuring 0k-11m bearing Khasra No.28R4/3/2 Min and 28R4/4 has been acquired by National

Highway Authority of India for construction of National Highway.

[3] Let the petitioners be paid compensation alongwith interest till date for the said acquired land within a period of two months from the date of receipt of a copy of this order.

[4] Disposed of.

**( SURYA KANT )  
JUDGE**

**April 25, 2018**  
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**( SHEKHER DHAWAN )  
JUDGE**

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|---------------------------------------|---------------|
| <b>1. Whether speaking/reasoned ?</b> | <b>Yes/No</b> |
| <b>2. Whether reportable ?</b>        | <b>Yes/No</b> |