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

**CWP No.19335 of 2017(O&M)**
**Date of decision:18.01.2018**

Ratnesh Bhushan ....Petitioner

Versus

Union of India & others ...Respondents

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr.M.K.Verma, Advocate, for the petitioner(s).

**G.S. SANDHAWALIA, J. (Oral)**

The present order shall dispose of four writ petitions, bearing, CWP-19335, 19338, 19340 & 19342-2017, involving common questions of law and facts. However, to dictate orders, facts have been taken from CWP-19335-2017 titled *Ratnesh Bhushan Vs. Union of India & others.*

Prayer in the present writ petitions is for issuance of a writ in the nature of Certiorari, for quashing/modifying/clarifying the impugned award dated 18.10.2016 (Annexure P-4), to the effect that Mandir Narsingh Ji Maharaj was not the owner of the agricultural land situated within the revenue estate of Village Jarthal Sub Tehsil Dharuhera District Rewari, under Section 20H of the Railway Projects Act, 1989.

The only ground for challenging the award dated 18.10.2016 is that the findings recorded in para 8 are based on an order dated 28.08.2015, passed by the Sub-Divisional Officer (Civil)-cum-Collector, Rewari (Annexure P-5). An argument has been raised that the said finding might bias the Appellate Authority on the revenue side and therefore, the finding should be quashed.

In the opinion of this Court, the said argument is without any justification. While deciding the petition and the issue of apportionment, the

Addl.District Judge has relied upon the revenue record, to come to the conclusion that the petitioner is not entitled for the compensation and respondent No.7-Mandir Narsingh Ji Maharaj was entitled for the compensation of the entire land which was deposited with the Court, on account of acquisition of the land. The finding, as such, having been based on the revenue record, thus, cannot be questioned as it is for the Authority to pass the order on the basis of the revenue record and keeping in mind the title of the property and the possession. In such circumstances, the cause of action is a mere apprehension that the order, as such, might further prejudice the petitioner(s) in the Appellate Forum, before the Revenue Authority and the same is without any basis. Accordingly, this Court feels that there is no ground to interfere in the order passed by the Court below.

Resultantly, finding no merit in the present writ petitions, the same are hereby, dismissed. It is needless to comment that the Revenue Authority shall decide the appeals on the basis of the record which is available before it.

18.01.2018 **(G.S. SANDHAWALIA)**
*Sailesh* **JUDGE**

*Whether speaking/reasoned:* *Yes/No*

*Whether Reportable:* *Yes/No*