

CM-438-439-2018 in/and  
CWP-25130-2017 (O&M)

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HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CM-438-439-2018 in/and  
CWP-25130-2017 (O&M)  
Date of Decision: January 16, 2018

Krishan Kumar and others

.....Petitioners

Versus

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.K.Sandhir, Advocate for the petitioners.

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**SURYA KANT, J.**

**CM-438-439-2018**

Both the applications are allowed subject to all just exceptions and jamabandi for the year 2010-2011 of village Dakhan, District Ludhiana, (Annexure P-9) is taken on record.

**CWP-25130-2017**

The land/properties of the petitioners, with or without structure, have been acquired under the National Highways Act, 1956 (for brevity,'the 1956 Act') for public purpose of 'Maintenance, Management and Operation to National Highway No.95 on the stretches of land from Km.95.000 to Km.104.240 (Ludhiana-Talwandi Section), in District Ludhiana'. Notices

under Sections 3 and 3A were duly published in the newspapers having wide

circulation in the area way back on 20.11.2013 and 25.09.2014.

[2] The petitioners on the one hand claim that they have not been served with proper notices as names of some dead persons are also mentioned therein. At the same time, their 2<sup>nd</sup> grievance is that the objections filed by them under Section 3C of the 1956 Act read with Section 5A of the Land Acquisition Act, 1894 are still pending consideration before the Sub Divisional Magistrate, Ludhiana (West), being the Competent Authority.

[3] We have heard learned counsel for the petitioners at a considerable length. In our considered view the public purpose of acquisition, namely, widening of National Highway is of paramount public importance, for the Highways are the lifeline for development of a nation. Nevertheless, keeping in view the plea taken by the petitioners that their objections are still pending consideration, the writ petition is disposed of with a direction to respondent No.3 to decide those objections and communicate the decision to the petitioners. However, if the objections have been already decided, let the information to this effect be also sent to the petitioners.

**( SURYA KANT )  
JUDGE**

**January 16, 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> |