

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

**RSA No.12 of 2005 (O&M)**

**Date of Order:27.02.2019**

**National Highways Authority of India and others**

**..Appellant**

**Versus**

**The New World, Karnal and others**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. D.K.Singal, Advocate,  
for the appellant-NHAI

Mr. Shailender Jain, Sr. Advocate, with  
Ms. Peeyushi Jain, Advocate,  
for respondents no.1 to 4.

Mr. Saurabh Girdhar, AAG, Haryana  
for respondent no.5.

**ANIL KSHETARPAL, J(Oral)**

Learned counsel for the plaintiffs-respondents has submitted that the suit itself has become infructuous as a flyover (elevated road) has been constructed at the place in dispute and, therefore, there cannot be any central verge/cut/opening in between the national highway.

Learned counsel for the National Highway Authority of India is not in a position to admit or deny this fact. Same is the position of learned counsel for the State of Haryana.

Keeping in view the aforesaid facts, the appeal is disposed of with liberty to the appellants to move an application for revival, if anything survives.

**February 27, 2019**  
**nt**

**(ANIL KSHETARPAL)**  
**JUDGE**

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No