

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

CWP No.14202 of 2020 (O&M)

Date of decision: 11.09.2020

Balwinder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Ranjit Saini, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

By way of filing the present writ petition, petitioner Balwinder Singh, aged about 60 years, a resident of Chaudharpur, Tehsil and District Gurdaspur, seeks issuance of a writ in the nature of mandamus directing the Competent Authority-cum-SDM-Land Acquisition Collector, Gurdaspur -respondent No.3 to calculate the amount of compensation enhanced by Commissioner, Jalandhar Division Jalandhar-cum-Arbitrator appointed under Section 3-G of the National Highways Act, 1956 (for short 'the Act') with regard to land of the petitioner so acquired and for payment of enhanced amount of compensation to the petitioner in view of the provisions of Section 3H of the Act read with Rule 2 of National Highways (Manner of Depositing the amount by the Central Government with the competent authority for acquisition of land) Rules, 1998.

The petitioner is said to have approached respondent No.3 by

way of serving a legal notice dated 13.08.2020 (Annexure P3) before filing of the present writ petition without evoking any positive response.

Keeping in view the facts and circumstances of the case and in order to avoid unnecessary litigation between the parties, I find it proper and appropriate if respondent No.3 is directed to look into the grievances of the petitioner and take necessary action in the matter within a fixed time frame. Therefore, the present writ petition is disposed of, directing respondent No.3 to consider the claim of the petitioner as detailed in legal notice dated 13.08.2020 (Annexure P3) and then to take necessary action in the matter, so warranted, within a period of two months from the date of receipt of certified copy of the order.

It is made clear that since the petition is not being decided on merits, if the petitioner still feels aggrieved after consideration of legal notice by respondent No.3, then, he may approach the Court again as per law.

11.09.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No