

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

CWP-18383-2020

Date of Decision: November 18, 2020

NEELAM DEVI

..... PETITIONER(s)

Versus

UNION OF INDIA AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. G.S. Duhan, Advocate
for the petitioner.

Ms. Aerika Singh, Advocate for NHAI.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

The petitioner in this case claims to have purchased land as mentioned in the writ petition in the year 2011 from respondent no.4. Some of the land was acquired by the National Highway Authority of India in 2018, for construction of the national highway 152-D, from Gangtehrri to Narnaul vide notification dated 14.11.2018. Award was passed and the petitioner received compensation of an amount of Rs.2,35,103/- (Annexure P-6). However, the petitioner, thereafter, came to know that compensation of Rs.46,497/- for a part of the land/Gair Mumkin Rasta, which she had purchased from Chaman Lal, was not released to her but to the said Chaman Lal as reflected in Annexure P-7.

Prayer in this writ petition is for directing the respondents to release the amount of Rs.46,497/- to the petitioner in view of her having purchased the said land/Rasta from Chaman Lal way back in 2011.

I have heard learned counsel for the parties and have gone through the file with their able assistance.

It cannot be denied that the petitioner has an effective remedy as provided under Section 3(H)(3)/(4) of the National Highways Act, 1956. In this view of the matter, I do not deem it appropriate to intervene in this writ petition at this stage. Needless to say, the petitioner is at liberty to avail the remedy/remedies as may be available to her in accordance with law and it is expected that if necessary application is moved by the petitioner within four weeks, the competent authority shall consider and decide the same expeditiously.

The writ petition is dismissed accordingly.

18.11.2020

Sunil

(LISA GILL)

JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No