

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CWP No.25186 of 2019

Decided on : 29.01.2020

Mukesh and others

... Petitioners

Versus

National Highway Authority of India and others

... Respondents

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

Present: Ms. Vandana Sharma, Advocate for
Mr. Rajesh Lamba, Advocate for the petitioners.

G.S. Sandhawalia, J. (Oral)

The petitioners in the present writ petition filed under Articles 226/227 of the Constitution of India seek the benefit of solatium and interest on the Award dated 26.04.2012 (Annexure P-3). The claim is based on the judgment of the Division Bench passed in '**M/s Golden Iron and Steel Forgings Vs. Union of India and others' 2011 (4) RCR (Civil) 375.**

On 10.09.2019, it was noticed that the Award had been challenged before the Arbitrator. The petition filed before the Arbitrator has now been filed on record as Annexure P-6.

A perusal of the said petition would go on to show that the quantum aspect of compensation has been challenged before the Arbitrator and the rate also.

Since the matter is already pending before the Arbitrator, it is open to the petitioners to make their claim for solatium and interest also, specially keeping in view the fact that the Apex Court has approved the judgment as such of '**M/s Golden Iron (supra) in 'Union of India Vs. Tarsem Singh', (2019) 9 SCC 304.**

Accordingly, the present writ petition is disposed off with the aforesaid liberty.

(G.S. SANDHAWALIA)
JUDGE

JANUARY 29, 2020

Naveen

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No