

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CWP No.1905 of 2021

Date of decision: 28.01.2021

Rohtash (deceased) through his LR's, namely, Smt. Sunita Devi and ors.

.....Petitioners

versus

Competent Authority-cum-Land Acquisition Collector, Jind and Anr.

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. V.D. Sharma, Advocate for the petitioners.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioners – Smt. Sunita Devi and two others have filed the present writ petition invoking jurisdiction of this Court under Article 226/227 of Constitution of India *inter alia* with a prayer to direct the Competent Authority-respondent No.1 to refer the petition dated 16.12.2020 (Annexure P-4) filed under Section 3-H (4) of National Highway Act, 1956 to the Principal Civil Court of original jurisdiction for apportionment of amount of compensation passed vide Award dated 22.09.2020 (Annexure P-2) as the dispute regarding title of the acquired land between the co-sharers is pending before the Civil Court, with a further relief as mentioned in the writ petition.

Learned counsel for the petitioners submits that the petitioners had approached the Civil Court by way of suit along with the prayer for

permanent injunction on 01.12.2020. Learned counsel further submits that the prayer for permanent injunction/temporary injunction has not been considered by the Court of Additional Civil Judge (Sr. Divn.), Safidon and the case is now fixed for 19.03.2021. He, however, prays that he will move an appropriate application before the Additional Civil Judge (Sr. Divn.), Safidon, within *3 weeks* from today.

This Court in view of peculiar facts and circumstances as noticed above, deems it appropriate to dispose of the present writ petition with a direction to the Court of Additional Civil Judge (Sr. Divn.), Safidon, to decide the application of the petitioners praying for temporary injunction, (to be filed within *three weeks* from today), as expeditiously as possible, in any case on or before the date fixed i.e. 19.03.2021.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

28.01.2021

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