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

CWP No.2871 of 2020 (O&M)

Date of Decision:08.04.2021

Prem Singh and Ors.

..... Petitioners

Versus

State of Haryana and Ors.

..... Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Kumar Bhardwaj, Advocate
for the petitioners.

Mr. Kirti Singh, DAG, Haryana.

ANIL KSHETARPAL, J.(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioners pray for issuance of a writ in the nature of certiorari quashing the impugned decision of the respondent authorities to withhold the release of the amount of compensation on account of compulsory acquisition of a piece of land under the National Highway Authority Act, 1956.

Respondent-District Revenue Officer/competent authority under National Highway Authority Act, 1956, has filed an affidavit to the effect that there is a dispute with regard to apportionment of the compensation and a civil litigation is also pending between the parties. It has been pointed out that under Section 3H (4) of the National Highway Authority Act, 1956, the Principal Civil Court of original jurisdiction in the District is required to decide the dispute.

On careful perusal of Section 3H (4), it is apparent that the dispute with regard to apportionment of amount of compensation is required to be referred to the Principal Civil Court of original jurisdiction for adjudication.

Keeping in view aforesaid facts, the writ petition is disposed of by directing the Competent Authority (respondent No.3) to refer the dispute to the Court of concerned District Judge forthwith.

With these observations, the present writ petition is disposed of.

08.04.2021
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(ANIL KSHETARPAL)
JUDGE

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