

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

Sr. No.108

CWP No.4871 of 2021

Date of Decision: 24.03.2021

Sandeep Kumar and another

...Petitioners

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Ranjit Saini, Advocate with
Mr. Vikram Rathore, Advocate
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, the petitioners have sought the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondent No.3 to make the payment of excess amount of compensation to them in accordance with the award passed by the Arbitrator in view of the provisions contained in Section 3(H) of the National Highways Act, 1956 (here-in-after to be referred as the “Act, 1956”), while averring that the Arbitrator had awarded excess amount of compensation to them in respect of their land as acquired for the public purpose by issuing notification under Section 3A of the Act, 1956 but respondent No.3 is not making the payment of the said amount to them despite their having served legal notice dated 16.01.2021 to the respondents in this regard.

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Ms. Sunint Kaur, Assistant Advocate General, Punjab, has appeared in this case on behalf of respondents No.2 and 3 in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners submits that the petitioners would be satisfied in case a direction is issued to respondent No.3 to look into and deal with/decide their said legal notice (Annexure P-3), within some specific time-frame.

Learned State counsel has no objection for the same.

Keeping in view the above-discussed limited prayer of learned counsel for the petitioners and without commenting upon the merits of the matter in hand, the present writ petition is hereby disposed of with a direction to respondent No.3-Competent Authority-cum-Land Acquisition Collector-cum-Sub Divisional Magistrate, Bathinda, to look into and deal with/decide the said legal notice of the petitioners (Annexure P-3) in accordance with the law/relevant rules/instructions, by passing a speaking order thereon, within a period of three months from the date of receipt of the certified copy of this order.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

24.03.2021
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Whether speaking/reasoned Yes/No

Whether Reportable Yes/No