

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

125

**CWP-20319-2021
Date of decision:05.10.2021**

M/S ORIENT STEEL AND INDUSTRIES LIMITED

...Petitioner

Versus

UNION OF INDIA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Anil Kumar Rana, Advocate,
for the petitioner.**

Mr. Samarth Sagar, Additional Advocate General, Haryana

ANIL KSHETARPAL, J (Oral)

Through this writ petition, the petitioner prays for issuance of a writ in the nature of mandamus directing the competent authority to release the payment of compensation for acquisition of land under the National Highways Act, 1956.

The petitioner claims to be an owner in possession of a certain piece of land which has been acquired by the Central Government for National Highway Authority of India. The petitioner further claims that the competent authority has released the amount of compensation to the Haryana Urban Development Authority (now re-named as Haryana Sehri Vikas Pradhikaran). In essence, the petitioner claims that the competent authority has erred in releasing the amount of compensation for the acquired land.

The petitioner filed an application before the competent authority which has been dismissed on the ground that as per the revenue

record, the acquired land is in the name of Haryana Urban Development Authority (now re-named as Haryana Sehri Vikas Pradhikaran) in the ownership column of the jamabandi and the petitioner has not lodged any claim before 12.06.2017.

As per Section 3(H)(4) of the National Highways Act, 1956, any interested person claiming entitlement to the amount of compensation is entitled to request the competent authority to refer the dispute to the decision of the principal civil court of original jurisdiction of the district where the land is situated. In the present case, the petitioner shall be required to establish his title.

Keeping in view the aforesaid facts, the petitioner is relegated to an alternative remedy.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

October 05, 2021
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(ANIL KSHETARPAL)
JUDGE

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