

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

CWP-22848-2021 (O&M)
Date of decision: 11.11.2021

Mohinder Singh and others

....Petitioners

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. C.K.Rana, Advocate for the petitioners

ANIL KSHETARPAL, J (Oral)

The petitioners pray for issuance of a writ in the nature of Mandamus to direct the respondents to pay solatium at the rate of 60% of the market value and pay 10% of the market value towards the easement amount. The petitioners claim that various parcels of their land were acquired by the Union of India in accordance with the Railways Act, 1989. The preliminary notification was issued on 20.04.2010 whereas declaration was issued on 24.04.2010. The award was passed on 14.12.2011 by the competent authority in exercise of its power under Section 20(F) of the Railways Act, 1989. The petitioners, for the first time, are alleged to have submitted a representation on 16.07.2021. This writ petition has been filed on 13.10.2021. Thus, the writ petition suffers from unexplained delay and latches. Moreover, a person who is not satisfied with the amount awarded by the competent authority has an alternative remedy under Section 20(F)(6) of the Railways Act, 1989. In view thereof, the writ petition is disposed of.

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

11.11.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE