

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

122

**CWP-21950-2021(O&M)
Date of decision:29.10.2021.**

SURJAN SINGH

...Petitioner

Versus

UNION OF INDIA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Sunny K. Singla, Advocate
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The petitioner prays for issuance of a writ in the nature of mandamus directing the respondents to consider and decide the objections (Annexure P-8), filed under Section 3(H) of the National Highways Act, 1956.

Some facts are required to be noticed.

The petitioner claims that the Union of India has acquired some part of his land located in village Haider Nagar, Tehsil and District Malerkotla. He claims that the petitioner has filed his objections under Section 3(H) of the National Highways Act, 1956, which have not been decided by the competent authority.

A careful reading of the paper book shows that there is ex-

parte decree for specific performance of the agreement to sell in favour of Nachattar Singh son of Ujjagar Singh. The petitioner claims that an application for setting aside the ex-parte decree under Order 9 Rule 13 CPC is pending.

In essence, the petitioner prays that the amount of compensation with regard to the suit land (a parcel of land subject matter of the decree) should be stayed.

The learned counsel representing the petitioner admits that the petitioner has also filed a similar application in the proceedings under Order 9 Rule 13CPC.

In view thereof, the petitioner is relegated to the remedy before the court where the proceedings under Order 9 Rule 13 CPC are pending.

Disposed of.

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

October 29, 2021
nt

(ANIL KSHETARPAL)
JUDGE

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