

**In the High Court of Punjab and Haryana, at Chandigarh**

**Civil Writ Petition No. 23057 of 2021**

**Date of Decision: 15.11.2021**

Jasvinder Kaur

... Petitioner(s)

Versus

National Highways Authority of India and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Chanderhas Yadav, Advocate  
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate General,  
Haryana, for the respondent No.2 and 3.

**Anil Kshetarpal, J.**

1. Through this writ petition, the petitioner prays for issuance of a writ in the nature of certiorari to quash the order dated 22.07.2021 passed by the Competent Authority for the land acquisition under the National Highways Act, 1956 (hereinafter referred to as “the 1956 Act”).

2. The Competent Authority, in exercise of the powers under Section 3-H(4) of the 1956 Act, has referred the matter to the Principal Civil Court of the District having territorial jurisdiction. The petitioner claims that since the redemption of mortgage has already attained finality, therefore, the respondent No. 4 to 9 are left with no right, title or interest in the property. An application, filed under Order VII Rule 11 CPC, for rejection of the reference petition, is pending.

3. The learned counsel representing the petitioner admits that such an application is not maintainable.

4. Keeping in view the aforesaid facts, the application filed under Order VII Rule 11 CPC is dismissed as being not maintainable in view of the statement made by the learned counsel representing the petitioner. However, he submits that the Presiding Judge may be requested to dispose of the matter within a period of six months.

5. Keeping in view the facts of the case, it is considered appropriate to dispose of the writ petition while requesting the Presiding Judge to make sincere endeavours for expeditious disposal of the matter, preferably within a period of six months.

**(Anil Kshetarpal)**  
**Judge**

**November 15, 2021**

**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No