

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

CWP-3880-2022 (O&M)

Date of decision: 02.03.2022

Dev Raj alias Dev Raj Diwana

....Petitioner

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K.Sharma, Advocate for the petitioner
 Mr. Abhilaksh Gaind, Advocate for respondent-NHAI
 Mr. Nikhil Chopra, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video
conferencing on account of restricted functioning of the Courts.

On 28.02.2022, the following order was passed by this

Court:-

“The hearing of the case is being held
through video conferencing on account of restricted
functioning of the Courts.

The petitioner complains that the amount
of compensation payable for compulsory acquisition
of the land vide award no.1 dated 03.05.2017, passed
by the competent authority for land acquisition in
exercise of the powers under the National Highways
Act, 1956 ,has not been paid, despite various
representations.

At the request of the Court, Mr. Nikhil
Chopra, Addl. AG, Punjab, accepts notice on behalf
of respondent no.3 and undertakes to assist the Court
after getting complete information.

Adjourned to 02.03.2022.”

Learned counsel representing the competent authority-cum-

Sub Divisional Magistrate, Nawanshahr, District SBS Nagar, Punjab,

has stated that on account of interim order passed by the Civil court, the

payment has not been released to the petitioner.

Learned counsel representing the petitioner submits that litigation qua validity of the Will executed by the petitioner's mother in favour of the petitioner is pending. However, there is no dispute with regard to property which was inherited by the petitioner from his father alongwith other legal representatives.

Sh. Nikhil Chopra, Additional Advocate General, Punjab, on instructions from Sh. Baljinder Singh, SDM, Nawanshahr, has submitted that the amount of compensation with regard to undisputed acquired area shall be released if the petitioner convinces the competent authority.

Keeping in view the aforesaid facts, the writ petition is disposed of while directing the petitioner to submit a detailed application before the competent authority while explaining as to how some part of the amount is related to the undisputed area. If such an application is filed before the competent authority, the same shall be decided within a period of 15 days from the date of application.

With these observations, the writ petition is disposed of.

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

02.03.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE