

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

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**CWP-7773-2022
Date of Order: 18.04.2022**

MOHD HALEEM AND ORS

..Petitioners

Versus

UNION OF INDIA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, J(Oral)

Called twice.

The learned counsel representing the petitioners did not come forward to press the petition.

This Court has gone through the contents of the writ petition. The petitioners pray for issuance of a writ in the nature of mandamus to direct respondent No.4 to 6, not to release the amount of compensation till the final disposal of the partition proceedings.

The petitioners claim that they are joint owners/co-sharers along with respondent No.9 to 19. On acquisition of the land under the National Highways Act, 1956, certain amount of compensation is payable. The petitioners pray that till the partition proceedings are decided, the Authority should be restrained from disbursing the compensation.

In the considered view of the Court, there is no substance in the present petition. The partition proceedings are pending. The Competent Authority-cum-Land Acquisition Collector is required to see the position as prevalent on the date of notification Section 3-A of the National Highways Act, 1956. Admittedly, till now the parties are co-owners.

Keeping in view the aforesaid facts, the amount is required to be distributed in accordance with their share.

In view thereof, no ground to issue the writ is made out.

Dismissed.

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

April 18th, 2022

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(ANIL KSHETARPAL)
JUDGE

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