

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

113

**CWP no.4997 of 2022
Date of Decision:26.05.2022**

Rajinder

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Divyam Singh, Advocate, for
Mr. Vikram Singh, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Vide this petition, the petitioner seeks issuance of a writ in the nature of *mandamus* directing the respondents to grant adequate compensation for the damages in demolishing his properties without any authority of law (as alleged).

He seeks further, a direction that the proper procedure to be followed in case his land is required for the construction of a National Highway, and to decide his legal notice dated 11.02.2020 (Annexure P-4), within a specified time.

Though otherwise we were inclined to hold that the petitioners' remedy is before the civil court in view of the fact that actual evidence would have to be led with regard to the location of the structure that was demolished, yet

counsel relies upon an order passed by a co-ordinate Bench of this court in CWP no.6299 of 2022, decided on 28.03.2022 (titled as Sunita v. State of Haryana and others), which he submits is an identical matter as would be seen from paragraph 2 of the said order, which reads as follows:-

“In the present case, the petitioner is seeking adequate compensation for the damages caused to her property by the respondents while demolishing the same. A further direction is sought to be issued to the respondents to re-construct the structure of the petitioner.”

Consequently, without making any comment on the actual merits of the case in any manner whatsoever, this petition is disposed of with a direction to the competent authority amongst the respondents to take a decision on the legal notice got issued by the petitioner on 11.02.2020 (copy Annexure P-4), after giving the petitioner a hearing, by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

(AMOL RATTAN SINGH)
JUDGE

May 26, 2022
dinesh

(LALIT BATRA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No