

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP No.14062-2022(O&M)

Date of decision: 06.07.2022

Ramphal Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ANIL KSHETARPAL, J (Oral)

The petitioner prays for issuance of a writ of certiorari to quash the order dated 01.04.2022, passed by the competent authority-cum-District Revenue Officer nominated under the National Highways Act, 1956.

The District Revenue Officer, after finding that the primary notification under the National Highways Act, 1956 was issued after the deed of partition had been prepared with respect to the joint land which was the subject matter of acquisition, ordered payment of the compensation to the private respondents.

The learned counsel representing the petitioner contends that against the aforesaid order of partition, a Civil Writ Petition No.170 of 2022 is pending in this Court.

This Court has considered the submissions.

The best case of the petitioner is that if the order of partition is set aside on allowing of the writ petition, he will become co-owner and consequently, entitled to certain part of the compensation. As of now, the joint land stands partitioned. In any case, the private respondents shall be

entitled to a portion thereof even if the writ petition filed by the petitioner is allowed. In such scenario, the petitioner can always file a suit for recovery of the amount from the private respondents.

In view thereof, no further order is required to be passed.

Dismissed.

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

July 06, 2022
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(ANIL KSHETARPAL)
JUDGE

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