

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

CWP-25187-2019

Date of Decision: 21.11.2022

Jaspal Singh and others

.....Petitioners

Versus

U.T., Chandigarh and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Charanpal Singh Bagri, Advocate, and
Dr. Gurjit Kaur Bagri, Advocate,
for the petitioners.

Mr. Anil Mehta, Senior Standing Counsel, with
Ms. Aakanksha Sawhney, Additional Standing Counsel,
Mr. Sumeet Jain, Additional Standing Counsel,
for the respondent-U.T. Chandigarh.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

The petitioners have challenged the acquisition proceedings initiated by the Chandigarh Administration for a public purpose, namely, **connectivity from Dakshin Marg to P.R. 4 road U.T/Punjab Boundary, as per the approved Master Plan.**

Learned Senior Standing Counsel for the U.T., Chandigarh, submits that the petitioners have simply assailed the preliminary notification issued under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (for short 'the Act'), and concededly, the final declaration/notification under Section 19(1) of the Act has not been challenged. Likewise, he submits that during the pendency of the present *lis*, the Collector Land Acquisition, U.T., Chandigarh, had even passed the award on 20.05.2020, which too, has not been assailed and there is no challenge to the Master Plan either. It is urged that most of the landowners, including some of the petitioners, have already received the compensation and the balance compensation has since been deposited by the Administration with the concerned authority. So much so, possession had also been obtained and most of the construction work has already been carried out.

In response, learned counsel for the petitioners submits that rather than examining the matter on merits, let the petitioners be permitted to withdraw the petition with liberty to file a comprehensive petition, with better particulars, if so advised.

Dismissed as withdrawn with the liberty prayed for.

It is made clear that this order shall not constitute an expression of opinion on the merits of the case of either party. All the questions raised by the petitioners in the instant petition are kept open. Likewise, the respondents shall also be entitled to set out all the pleas/defence/objections that are admissible in law, in any subsequent proceedings.

For the writ petition itself has since been dismissed as withdrawn, all the pending applications and interim orders are accordingly disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

21.11.2022
AK Sharma

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√