

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

CWP-23458-2022 (O&M)
Date of decision: 02.12.2022

Ambrish Singal

....Petitioner

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deveinder Pal Singh and
Mr. Deependra, Advocates for the petitioner
Mr.K.S.Kang, Sr. DAG, Punjab

ANIL KSHETARPAL, J (Oral)

While invoking the extraordinary jurisdiction of the Court under Article 226/227 of the Constitution of India, the petitioner prayed for issuance of a writ in the nature of Mandamus directing the respondents to release the amount of compensation, awarded by the competent authority, for the land acquisition, nominated under the National Highways Act, 1956 (hereinafter referred to as the '1956 Act'). Prayer was also made to direct the respondents to release the amount along with solatium and interest. On 27th October 2022, the following order was passed by this Court:-

“The petitioner complains that despite the compulsory acquisition of his land in exercise of powers under the National Highways Act, 1956, vide awards dated 30.09.2014 and 31.08.2016, he has not been paid the amount of compensation, payable under the awards. In support of his submission, he relies upon Annexure-P/12, the information received under the Right to Information Act, 2005. The Sub Divisional Magistrate, Sangrur, has written that the payment could not be made to the petitioner due to the insufficiency of funds as no funds have been received

from the National Highway Authority of India (NHAI).

Notice of motion

On the request of this Court, Sh. Satya Pal Jain, Additional Solicitor General of India, along with Mr. Dheeraj Jain, Advocate, accepts notice on behalf of the Union of India as well as the National Highway Authority of India.

Sh. Sandeep Chopra, Deputy Advocate General, Punjab, accepts notice on behalf of Sub Divisional Magistrate-cum-Competent Authority, Land Acquisition, Sangrur.

At the request of Mr. Dheeraj Jain, Advocate, adjourned to 03.11.2022.

To be listed in the urgent.

It is expected that Mr. Jain would get the complete information before assisting the Court.”

Sh.K.S.Kang, Sr. DAG, Punjab has submitted that the amount has already been credited in the account of the petitioner on 1st December, 2022.

However, learned counsel representing the petitioner submits that the interest has not been paid yet. If that is the position, let the petitioner file a representation to the competent authority in this regard, who will decide the same within a period of one month, from the date of filing of the representation.

Disposed of.

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

02.12.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE