

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of decision: 26th April, 2023

1. **FAO-3248-2022 (O&M)**
Rajpal Kaur @ Rajpaul Kaur ... Appellant
Versus
Union of India and others ... Respondents

2. **FAO-3448-2022 (O&M)**
Gurcharan Singh ... Appellant
Versus
Union of India and others ... Respondents

3 **FAO-3453-2022 (O&M)**
Harcharan Singh ... Appellant
Versus
Union of India and others ... Respondents

4. **FAO-3455-2022 (O&M)**
Sukhpal Singh ... Appellant
Versus
Union of India and others ... Respondents

5 **FAO-3569-2022 (O&M)**
Kewal Singh ... Appellant
Versus
Union of India and others ... Respondents

6 **FAO-3570-2022 (O&M)**
Balvir Kaur ... Appellant
Versus

Union of India and others

... Respondents

7

FAO-4247-2022 (O&M)

Gurmail Kaur

... Appellant

Versus

Union of India and others

... Respondents

8.

FAO-4254-2022 (O&M)

Charanjit Kaur

... Appellant

Versus

Union of India and others

... Respondents

9.

FAO-4272-2022 (O&M)

Gurpinder Singh

... Appellant

Versus

Union of India and others

... Respondents

10

FAO-3724-2022 (O&M)

Baljeet Singh and others

... Appellants

Versus

Union of India and others

... Respondents

11.

FAO-3889-2022 (O&M)

Hans Singh since deceased through his LRs

... Appellants

Versus

Union of India and others

... Respondents

12.

FAO-3447-2022 (O&M)

Gurmeet Singh

... Appellant

Versus

2023:PHHC:059189		
FAO No. 3248 of 2022(O&M) & connected matters		[3]
Union of India and others		... Respondents
13.	FAO-3449-2022 (O&M)	
Jasvir Singh		... Appellant
Versus		
Union of India and others		... Respondents
14.	FAO-3450-2022 (O&M)	
Sukhchain Singh		... Appellant
Versus		
Union of India and others		... Respondents
15.	FAO-3505-2022 (O&M)	
Chamkaur Singh @ Jaspal Singh since deceased through his LRs		... Appellant
Versus		
Union of India and others		... Respondents
16.	FAO-3571-2022 (O&M)	
Iqbaal Singh since deceased through his LRs		... Appellant
Versus		
Union of India and others		... Respondents
17.	FAO-3572-2022 (O&M)	
Bhag Singh since deceased through his LRs		... Appellant
Versus		
Union of India and others		... Respondents
18	FAO-4256-2022 (O&M)	
Paramjit Kaur		... Appellant
Versus		

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vishal Aggarwal, Advocate and
Mr. Nitin Mehta, Adocate for the appellant(s)

Mr. K.S. Kang, Advocate and
Mr. Ankit Joshi, Advocate for the respondent(s).

AVNEESH JHINGAN, J (Oral):

1. The instant appeals filed by land owners under Section 37 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') are being disposed of by a single order as the facts are common and issue involved is similar.
2. The facts of FAO No. 3248 of 2022 are being considered.
3. The brief facts are that the land of the appellant situated in village Duggan, District Sangrur was acquired for widening National Highway No. 64. The competent authority determined the compensation vide award dated 15.1.2014. The arbitration proceedings were initiated at the instance of the land owner. The proceedings culminated in award dated 4.5.2020. The land owners and National Highways Authority of India (for short, 'NHAI') filed objections under Section 34 of the Act. The objections of the land owners were dismissed on 10.11.2021.
4. Learned counsel for the appellant submits that the impugned order is non-speaking as the issues raised have neither been analysed nor dealt with
5. On asking of the Court, Mr. K. S. Kang and Mr. Ankit Joshi,

Advocates accepts notice on behalf of NHAI and contends that the objections filed by NHAI are pending before Additional District Judge, Sangrur. The contention is that the objections of the land owners have been decided independently without taking into consideration that the objections of NHAI were pending at Sangrur. It is further argued that the acquisition in question was in District Sangrur whereas the land owners filed the objections at Patiala and without deciding the question of jurisdiction, the court proceeded to decide the objections.

6. Learned counsel for the land owners on instructions from their clients submit that in order to avoid delay and considering that the land acquired was situated in District Sangrur, they submit to the jurisdiction of Sangrur and would not raise the issue of jurisdiction.

7. In view of the above, the impugned order is set aside. The District Judge, Patiala shall transfer the official record including the objections petitions to District Judge, Sangrur for deciding the objections.

8. The appeals are disposed of.

9. There is no doubt that considering the acquisition is of year 2012, with the co-operation of parties, an earnest effort would be made by the court concerned to decide the objections expeditiously.

10. Since the main appeals have been disposed of, pending application(s), if any, is rendered infructuous.

[AVNEESH JHINGAN]

JUDGE

26th April, 2023

mk	1. Whether speaking/ reasoned	:	Yes / No
	2. Whether reportable	:	Yes / No