

CWP-20518-2017

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CWP-20518-2017

Date of Decision: 19.12.2023

Sukhwinder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gursahib Singh Hundal, Advocate
for Mr. Premjit Singh Hundal, Advocate for the petitioner
Mr. Raghujeet Singh Madan, Advocate
for respondent No.2-NHAI
Mr. Deepanjay Sharma, DAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. On 27.09.2023, the following order was passed:-

“Lawyers are abstaining from work.

*On 19.09.2023, following order was passed by this
Court:-*

*“The petitioner is seeking direction to respondents
to issue NOC for setting up petrol station of Essar
Oil Limited. As per Annexure P-17 Essar Oil
Limited has cancelled LOI issued to the petitioner.*

*Learned counsel for respondent No.2 submits
that NOC has to be issued by District Magistrate
and role of NHAI is confined to grant access
permission. Faced with this, learned counsel for
respondent No.2 seeks time to get instructions and
address the arguments.*

Adjourned to 27.09.2023.

To be shown in the Urgent List.”

The petitioner who is present in person submits that he has deposited a sum of Rs. 8 lakh with different Government authorities which included PUDA and Town and Country Planning.

The District Magistrate, Gurdaspur, is hereby directed to direct the concerned departments to refund the money which petitioner has deposited to get NOC.

Adjourned to 30.10.2023.”

2. Learned counsel for the petitioner submits that vide letter dated 13.10.2023, the petitioner has requested Deputy Commissioner, Gurdaspur to refund the aforesaid amount. The petitioner has submitted deposit receipts.

3. Learned State counsel submits that Deputy Commissioner, Gurdaspur would look into the matter and refundable amount would be refunded to the petitioner within three months from today. In case deposit slips are not already submitted, within three months from the date of furnishing deposit receipts.

4. From the perusal of Annexure P-14, it comes out that a sum of ₹2,30,000/- has been forwarded by Executive Engineer, Central Works Division, PWD B&R Branch, Pathankot to Regional Officer, MoRTH, Sector 9-A, Chandigarh. The petitioner is at liberty to approach Regional Officer, MoRTH, Sector 9-A, Chandigarh with respect to the said amount. If the petitioner moves an application before the Regional Officer, the said officer

CWP-20518-2017

-3-

would decide application of the petitioner within two months from the date of receipt of application.

5. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

19.12.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>