

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21307-2023 (O&M)

Decided on:-03.11.2023

Sukhmander Singh and another

....Petitioners.

vs.

The Union of India and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Himmat Singh Sidhu, Advocate,
for the petitioners.

Service upon respondent No.1 already dispensed with.

Mr. Suvir Kumar, Advocate,
for respondent No.2.

Mr. Athar Ahmed, DAG, Punjab,
for respondent No.3-State.

HARKESH MANUJA J. (Oral)

CM-17967-CWP-2023

Prayer in this application is for placing on record reply on
behalf of respondent No.2.

Application is allowed as prayed for. Reply filed on behalf of
respondent No.2 is taken on record, subject to all just exceptions.

Main case

1. By way of present writ petition, prayer has been made for
directing respondents to release the amount of compensation in pursuance to
award dated 22.03.2022, passed by respondent No.3.

2. A perusal of paper-book shows that the petitioners owned land in three separate Khewat Nos.154, 144 and 148, Village Malout (Rural), Tehsil Malout, District Sri Muktsar Sahib, out of which, certain part thereof was acquired vide notification dated 28.06.2021, issued under Section 3(A) of the National Highways Act, 1956 (for short, "1956 Act"), followed by the aforementioned award dated 22.03.2022.

3. The grievance of the petitioners has been that despite the award having been passed and amount in pursuance thereof having been deposited by respondent No.2 with respondent No.3, the same has not been released in their favour.

4. Learned State counsel, on instructions, from Ms. Saroj, DRO Muktsar, submits that there is no dispute regarding the disbursement or apportionment qua the amount of compensation pertaining to Khewat Nos.144 and 154, which can be received by the petitioners upon their appearance before respondent No.3 after due verification. He further submits that as regards Khewat No.148, certain dispute has been raised by "person interested" qua its apportionment, accordingly, respondent No.3 contemplates referring it to the Principal Court of original jurisdiction of the concerned place for adjudication.

5. In view of the aforesaid stand taken by the learned counsels for the parties, petitioners are directed to appear before respondent No.3 on 07.11.2023 along with all required documents, and the amount of compensation regarding Khewat Nos.144 and 154 to be released in their favour along-with interest thereupon after due verification.

6. Further, respondent No.3 shall forward the reference pertaining

to land situated in Khewat No.148 to the Principal Civil Court of original jurisdiction, within a period of two weeks from today, if not already done.

- 7. In view of the above, the present petition is disposed.
- 8. Pending application, if any, stands disposed of.

03.11.2023
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(HARKESH MANUJA)
JUDGE

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