

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

CWP-23907-2023

Date of Decision: October 19, 2023

DARSHAN LAL

..... Petitioner

Versus

**COMPETENT AUTHORITY CUM SUB DIVISIONAL MAGISTRATE
AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Binderjit Singh, Advocate for the petitioner.

Mr. Abhilaksh Gaiind, Advocate for respondent No.3.

HARKESH MANUJA, J. (ORAL)

1. By way of present writ petition, prayer has been made for issuance of direction to respondents to pay solatium on amount of compensation as awarded to the petitioner on account of acquisition of his land.

2. In the present case, certain land owned by petitioner situated in village Panj Dhera, Tehsil Phillaur, District Jalandhar came to be acquired vide notification No.445 (E) dated 23.02.2010 published under National Highways Act 1956, for building (widening/six laning road etc.) maintenance, management and operation of National Highway No.01 on the stretch of land from KM 329/000 to KM 347/000 (Panipat to Jalandhar) in Sub Division, Phillaur, District Jalandhar, State of Punjab.

3. The competent authority-cum-Sub-Divisional Magistrate, Phillaur pronounced an award on 26.07.2013, whereby, compensation was awarded at the rate of Rs.2,00,000/- per marla for land situated in the revenue limits of Village Panj Dhera, however, no provision was made

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regarding solatium on the aforesaid amount of compensation/market value.

4. In order to seek his grievance as regards the release of award of solatium over the amount of compensation, the petitioner even served a legal notice dated 07.06.2022, while trying to impress upon the respondents, however, the same fetched no result thereby, compelling the petitioner to approach this Court, by way of filing the present writ petition.

5. Upon advance notice, learned State counsel appearing on behalf of respondents No.1 & 4 submits that representation as well as legal notice served by petitioner is pending consideration and the same shall be considered and decided by respondent No.1 within a period of two months, keeping in view the law laid down by this Court in cases of “**M/s. Golden Iron and Steel Forging Vs. Union of India and Ors.** and **Dynamic (India) Pvt. Ltd. Vs. Union of India and Ors.**”

6. In view of the aforesaid stand taken by the learned State counsel, respondent No.1 is directed to dispose of the legal notice dated 07.06.2022 (Annexure P-5) submitted by petitioner upon taking into consideration the law laid down in aforesaid judgments.

7. Disposed of in the aforesaid terms.

19.10.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

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