

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

115

LPA-387-2024 (O&M)
Date of decision: 07.02.2024

NATIONAL HIGHWAYS AUTHORITY OF INDIA

...Appellant

VERSUS

EMERGING VALLEY PVT. LTD. AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Raghujeet Singh Madan, Advocate
for the appellant.

DEEPAK SIBAL, J.(ORAL)

(1) Learned counsel for the appellant contends that through a writ petition filed on 10.10.2023, respondents No.1 and 2 had sought release of the compensation awarded to them through the competent authority's Corrigendum Award dated 02.08.2023; in their writ petition, respondents No.1 and 2 did not disclose that the competent authority's award dated 02.08.2023 already stood withdrawn on 19.09.2023 and that due to sheer inadvertence, the afore crucial fact could also not be brought to the notice of the learned Single Judge by the appellant.

(2) In the light of the above, learned counsel for the appellant seeks to withdraw the present appeal with liberty to bring to the notice of the learned Single Judge through filing of a review application, not only the afore material fact but also that the basis of the competent authority's Award dated 02.08.2023 which was the change of land use of respondent No.1's acquired land from agricultural to commercial also stood withdrawn much

prior to 02.08.2023 and that too on the request made by respondent No.1.

- (3) Dismissed as withdrawn with liberty as prayed for.
- (4) It is clarified that in case the review application, the liberty for which has been sought and got through the instant order, is filed and is rejected by the learned Single Judge, it shall not preclude the appellant to challenge the impugned judgment and such rejection, in accordance with law.
- (5) All pending miscellaneous application(s) also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

February 07, 2024
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<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>