

CR-1859-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(119-1)

CR-1859-2024

Date of decision:- 23.04.2024

National Highways Authority of India

... Petitioner

Versus

Ashok Kumar Garg and others

... Respondents

(119-2)

CR-1867-2024

National Highways Authority of India

... Petitioner

Versus

Ashok Kumar Garg and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Raghujeet Singh Madan, Advocate
for the petitioner.

Mr. Amit Jhanji, Senior Advocate with
Ms. Nikita Garg, Advocate and
Mr. Mandeep Nagpal, Advocate for the respondents

SUVIR SEHGAL, J. (ORAL)

1. This order shall dispose of two cases bearing **CR-1859-2024** titled as “**National Highways Authority of India Versus Ashok Kumar Garg and others**” and **CR-1867-2024** titled as “**National Highways Authority of India Versus Ashok Kumar Garg and others**”.
2. Factual position is being taken from CR-1859-2024.
3. By way of present revision petition filed under Article 227 of the Constitution of India, petitioner has approached this Court for setting aside orders dated 15.02.2024, Annexures P-8 and P-9, respectively, passed by the Executing Court.
4. I have heard counsel for the parties at some length.

5. In compliance of order dated 05.02.2024, Annexure P-6, passed by this Court, compensation amount has been deposited in the Executing Court and 50% of the deposited amount has been released to the land owner-respondent No.1, whereas the balance has been kept in a Fixed Deposit. There is some dispute regarding the calculation of the amount deposited as according to the counsel for the petitioner, the Court has accepted the calculation given by the land owner, which is erroneous.
6. As the amount stands deposited and released, liberty is given to the petitioner to move a fresh application after receiving calculations from respondent No.2-Competent Authority-cum-Land Acquisition Collector-cum-Sub-Divisional Magistrate, Ludhiana (West) (for short “CALA”). The calculation, submitted by respondent No.2-CALA, shall be examined by the Court and liberty is also given to the land owner to object to the calculation. If after re-calculation, it is found that some extra amount has been paid to the land owner, he shall re-deposit it with the Executing Court within a period of four weeks of the re-calculation. Similarly, in case, it is found that the land owner is entitled to some additional amount, the same be paid to him within a period of four weeks on the same conditions as specified by this Court in its order dated 05.02.2024, Annexure P-6.
7. Both the petitions are disposed of.

23.04.2024
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No