



CR-3722-2023 (O&amp;M)

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

(110-1)

CR-3722-2023 (O&M)  
Date of decision:- 17.12.2024

National Highways Authority of India

... Petitioner

Versus

Kanwaljit Singh and others

... Respondents

(110-2)

CR-3723-2023 (O&M)

National Highways Authority of India

... Petitioner

Versus

Maninder Kaur and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

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

Mr. Kanwaljit Singh, Senior Advocate with  
Mr. Ajaivir Singh, Advocate  
for respondent No.1 (in CR-3722-2023).

Mr. Aman Pal, Advocate  
for respondent (in CR-3723-2023).

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**SUVIR SEHGAL, J. (ORAL)**

1. This common order shall dispose of both the above noted revision petitions as they involve common questions of law and facts. For the sake of convenience, factual position is being taken from CR-3722-2023.

2. This revision petition has been filed under Article 227 of the Constitution of India *inter-alia* for setting aside impugned order dated



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22.05.2023, Annexure P-11, passed by the learned Additional District Judge, Rupnagar, whereby application filed by the petitioner has been dismissed for dismissal of Execution Application bearing EXE-614-2019, filed by respondents No.1 and 2 and recalling of Warrant of Attachment issued vide order dated 05.09.2022.

3. On 01.10.2024, this Court passed the following order:-

*“An amount of Rs.2.25 crores per acre has been granted by the competent authority under Section 3-G Sub-section (1) of National Highway Act, 1956 vide order dated 05.10.2018, Annexure P-1 as compensation for land acquired in village Marauli Kalan. Both, the NHAI and the land owners, sought a reference before the learned Arbitrator, who vide award dated 03.06.2019, enhanced the compensation to Rs.2.85 crores per acre. Objection petition under Section 34 of the Arbitration and Conciliation Act, 1996 was again (sic) filed by the NHAI as well as the land owners and by judgment dated 10.04.2023, Annexure P-2, learned Additional District Judge, Rupnagar accepted the objections filed by the NHAI and dismissed the objection petition, preferred by the land owners. As a net result, the order passed by competent authority stands affirmed.*

*Learned counsel for the landowners assert that the amount as awarded by the competent authority has not been deposited, despite the fact that the order was passed by it six years earlier.*

*At this stage, Mr. Madan submits that the NHAI has filed a fresh reference before the learned Arbitrator, which is pending.*

*Be that as it may, let the amount as awarded by competent authority be deposited in terms of the provisions of the National Highway Act, 1956 within a period of four weeks from today.*

*The disbursal of the deposited amount would be subject to further orders to be passed by this Court.*

*List on 14.11.2024.*

*To be shown in the urgent cause list.*

*Photocopy of this order be placed on the file of connected cases.”*

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4. The time period for deposit of the amount was extended by this Court vide order dated 14.11.2024 on the request of counsel for the National Highways Authority of India (NHAI).

5. Mr. Madan has placed on record a copy of communication dated 10.12.2024 to submit that the amount has been deposited in compliance with the above reproduced order.

6. Counsel for the landowner(s) has, however, disputed the calculations.

7. As the amount has been deposited with the competent authority, the same is ordered to be transferred to the Executing Court.

8. The amount has been deposited in terms of the award passed by the competent authority. The same cannot be withheld and has to be released to the landowners.

9. Upon transfer of the amount to it, Executing Court shall release it to the landowner(s), subject to their furnishing adequate security to the satisfaction of the Executing Court. Parties are at liberty to submit their respective calculations to the Executing Court.

10. As the amount deposited by the NHAI is being released, both the revision petitions are disposed off leaving the questions of law open.

11. Pending applications also stand disposed off.

17.12.2024

*Kamal***(SUVIR SEHGAL)  
JUDGE**

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |