



CWP-19598-2019

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

(105)

CWP-19598-2019

DATE OF DECISION:- 05.08.2024

JAGIR SINGH (DECEASED) THROUGH LEGAL HEIRS

...PETITIONERS

VERSUS

GOVERNMENT OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ankur Pandey, Advocate, for
Mr. Manuj Nagrath, Advocate
for the petitioners.

Ms. Sunint Kaur, Advocate, for
Mr. Rishi Kaushal, Advocate
for respondent No.2.

...

SUVIR SEHGAL, J. (Oral)

1. By way of instant writ petition filed under Article 226/227 of the Constitution of India, petitioner has approached this Court *inter alia* for issuance of a writ in the nature of mandamus directing the Commissioner-cum-Arbitrator, Jalandhar Division, Jalandhar – respondent No.4, to decide *arbitration case bearing No. M.A. No.110 of 2012*, titled as *Jagir Singh and others Versus Government of India and others*, Annexure P-1, which is

pending before him.



2. Counsel for the petitioner submits that vide Notification dated 24.12.2004, issued under Section 3-A of National Highways Act, 1956, (for short “the Act”) petitioner’s land, situated in Village Dhadiala, Tehsil Dasuya, District Hoshiarpur, was acquired for improvement and widening of National Highway 1-A. He submits that aggrieved against the determination of compensation for the acquired land by respondent No.3, petitioner filed the petition under Section 3(G) of the Act, before the Commissioner-cum-Arbitrator, Jalandhar Division, Jalandhar – respondent No.4, for enhancement, which is pending since 2012. Counsel has made a reference to the zimni orders, Annexure P-2 (colly), passed by respondent No.4.

3. Upon notice, response has been filed by respondent No.2, wherein, it has been submitted that the Award by the Arbitrator, is still awaited.

4. Counsel representing respondent No.2, has submitted that the proceedings are still pending before the Arbitrator – respondent No.4.

5. In view of above, as the reference petition filed by the petitioners under the Act, is pending for the last more than 12 years, writ petition is disposed of, with a direction to respondent No. 4, to decide the petition as expeditiously as possible, preferably within a period of four months, from the date of communication of this order.

(SUVIR SEHGAL)
JUDGE

05.08.2024
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No