

2024:PHHC:149671



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-31014-2024 (O&M).
Date of Decision: 18.11.2024.

CHARAN SINGH

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Amit Jain, Advocate, and
Mr. Yash Gupta, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Present petition has been filed for directing respondents NO.1 and 2 to accept/receive and entertain petition under Section 20-H of the Railways (Amendment) Act, 2008 of the petitioner and refer/sent the same to the Principal Civil Court in view of the provisions of Section 20-H of the Railways (Amendment) Act, 2008.

2 Learned counsel for the petitioner submits that the present case is fully covered by the order dated **12.05.2015** passed in the matter of **Ashok Kumar and others Vs. Union of India and others, reported as 2015 (4) RCR (Civil) 336.**

3 Notice of motion to respondents No.1 and 2 only at this stage.

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4 Mr. Vivek Saini, Addl. A.G. Haryana, accepts notice on behalf of the aforesaid respondents. He is not in a position to refute the directions contained in the Division Bench judgment of this Court in the matter of **Ashok Kumar and others (supra)** whereby the Division Bench of this Court had directed the competent authority to refer the dispute regarding apportionment of the compensation amount to the civil court within whose jurisdiction the land is situated within three months from the date of receipt of a certified copy of the order. The competent authority was further directed to decide the same expeditiously and preferably within six months from the date of receipt of such reference in accordance with law.

5 The present petition is accordingly disposed of at this stage without commenting on the merits of the case and taking into consideration the order passed in the matter of **Ashok Kumar and others (supra)** with a direction to the respondent-competent authority to refer the apportionment application submitted by the petitioner to the civil court of competent jurisdiction.

6 In the meanwhile, status quo with respect to the compensation amount deposited with the competent authority by the Railways in lieu of the acquisition of the land, shall be maintained.

7 Petition stands disposed of accordingly.

November 18, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No