

2024:PHHC:170869

290-u IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32260-2024 (O&M)

Decided on:-19.12.2024

Sh. Madan Lal Grover (Deceased)

through his LRs. and others

.Petitioners..

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Amit Jain, Advocate,
for the petitioners.

HARKESH MANUJA J. (Oral)

1. Prayer in the present petition is for issuance of direction to respondent No. 2 to decide the claim petition bearing No.620/NHAI/Arbitrator, dated 30.07.2020, filed at the instance of petitioners under Section 3-G (5) of the National Highways Act, 1956 (*hereinafter referred to as "1956 Act"*), for determination of actual amount of compensation payable to them, within a time bound period.

2. Brief facts are that the land of the petitioners comprising of Khasra No. 1364/599/2/2 (3-13-0) area measuring 3 bigha 13 Biswa 0 Biswansi, situated within the revenue estate of village Khandsa, Sub Tehsil Kadipur, Tehsil and District Gurgaon was acquired by respondents No. 3 to 5, for the purpose of building (widening/four laning etc.) maintenance, management and operation of NH 352W (Gurugram-Pataudi-Rewari Road) on the stretch of land km. 0.00 to km 45.00 (Mini Secretariat Gurugram) in village Khandsa, Tehsil Kadipur, District Gurugram in the State of Haryana

followed by Award dated 30.06.2020 (P-1). The petitioners filed petition under Section 3G(5) of 1956 Act, for re-determination of compensation in question by the Arbitrator, which was referred to respondent No. 2 vide case no. 620/NHAI/Arbitrator dated 30.07.2020. The aforementioned case is pending since 30.07.2020 for reply on behalf of respondents and further a perusal of Zimni orders reproduced in para 5 of paper book would reveal that no substantial progress has taken place as matter is being adjourned for one reason or other without any cogent rhyme or reason.

3. Notice of motion.
4. On asking of the Court, Mr. Rishi Kaushal, Advocate, accepts notice on behalf of respondent-State Nos. 3 to 5, whereas, Mr. Arun Beniwal, Sr. DAG, Haryana, accepts notice on behalf of respondent No. 1 and 2.
5. Without commenting on the merits of the case, the present petition stands disposed of by giving direction to respondent No. 2 to conclude the proceedings in claim petition bearing No.620/NHAI/Arbitrator dated 30.07.2020, within a period of four months, from the date of receipt of certified copy of this order.
6. Pending application, if any, also stands disposed of.

19.12.2024
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(HARKESH MANUJA)
JUDGE

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