

**LPA-177-2021 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****101****CM-7020-LPA-2025 in/&
LPA-177-2021 (O&M)
Date of Decision :23.09.2025****Mahinder Singh and others****...Appellants****Versus****Union of India and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI****Present: Mr. Jasvinder Singh Saini, Advocate for the appellants.****Mr. D.K. Singal, Advocate for respondent No.2.***** * *****Harsimran Singh Sethi, J. (Oral)****CM-7020-LPA-2025**

1. Present application has been filed for recalling the order dated 03.09.2025 (Annexure A-1) passed by this Court by which, the main writ petition was dismissed for non-prosecution.
2. Notice of the application to the respondents.
3. Mr. D.K. Singal, Advocate accepts notice on behalf of respondent No.2 and raises no objection for the grant of prayer as made in the present application.
4. Keeping in view the averments made in the application, which are duly supported by an affidavit, application is allowed. Order dated 03.09.2025 (Annexure A-1) passed by this Court is recalled and the main writ petition is ordered to be restored to its original number and status and is taken up for hearing today itself.



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5. Present appeal has been filed challenging the order dated 11.12.2020 passed by the learned Single Judge of this Court in CWP-614-2020 titled as ***Mahinder Singh and others vs. Union of India and others.***

6. Learned counsel for the appellants submits that after the filing of the appeal, an Award No.20 dated 14.12.2021 has been passed acquiring the land of the appellants but, the appellants are not satisfied with the said award since the compensation granted is not equivalent to the compensation paid for the land which was acquired in the year 2013 and further that the acquisition is being shown as of 14.12.2021 whereas, the land of the appellants had already been taken earlier for construction of a Toll Plaza which had been constructed much prior to the date of passing of an award, which shows that the possession of the land had already been taken by the National Highway Authority of India without jurisdiction but damages have not been paid. Hence, the present appeal may kindly be disposed of having been not pressed any further with liberty to the appellants to claim damages in lieu of taking possession of the land in question without an award as well as for enhancement of the compensation as per award dated 14.12.2021 by availing an appropriate remedy.

7. Ordered accordingly.

8. It may be noticed that in case the appellants avail any remedy for the grant of damages or enhancement of the compensation in pursuance to the acquisition of land dated 14.12.2021, the order dated 11.12.2020 passed by the learned Single Judge of this Court that the interest will be paid from the date of acquisition, will not be taken into consideration as the said part of the order dated 11.12.2020 passed by the learned Single Judge of this

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Court is being set aside by this Court. Further, as the appellants were availing the remedy before this Court, no objection will be taken with regard to the remedies available with the appellants qua the limitation.

9. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 23, 2025*aarti*

(VIKAS SURI)
JUDGE

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