



CWP-7549-2019 & connected case 1

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

(212) CWP-7549-2019
Date of Decision : November 20, 2025

Adarsh Kumar Sehgal and others .. Petitioners

Versus

Union of India and others .. Respondents

(2) CWP-23559-2021

Sanjeev Jain and others .. Petitioners

Versus

Union of India and others .. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Kanwaljit Singh, Senior Advocate, with
Mr. Veer Imaan Singh Gill, Advocate, for the petitioners
in CWP-7549-2022.

Mr. Sanjiv Gupta, Advocate, for the petitioners
in CWP-23559-2021.

Mr. Arun Gosain, Senior Government Counsel,
for respondent-UOI.

None for respondent No.8 in CWP-23559-2021.

HARSIMRAN SINGH SETHI J. (ORAL)

1. By this common order, two writ petitions, the details of which have been given in the heading, are being disposed of, as both the petitions involve the same question of law on similar facts.

2. Learned Senior Counsel appearing on behalf of the petitioners at the time of hearing submits that though in the writ petitions, the

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Notification dated 13.01.2010 (Annexure P-4) has been challenged, by which certain restrictions have been put under the Works of Defence Act, 1903 (hereinafter referred to as '1903 Act') qua the land which is owned by the petitioners but the challenge to the said Notification is not being pressed any further.

3. Learned Senior Counsel for the petitioners submits that even if the restrictions are put up, then also as the owners of the land in question due to the restrictions have been put up, are unable to use the land for their own purposes, the compensation is envisaged under the Works of Defence Act, 1903 but no action has been taken so far to provide the said compensation.

4. On being asked as to whether, any action has been taken by the petitioners to claim the compensation under the Works of Defence Act, 1903, learned Senior Counsel for the petitioners was very candid to say that as of now, no such action has been taken by the petitioners as the petitioners were awaiting compliance of Section 9 of the 1903 Act but requested that liberty be given to the petitioners to avail appropriate remedy for claiming the compensation of the land wherein, the restrictions have been put by the Union of India under the Works of Defence Act, 1903 for using the said land.

5. Keeping in view the above, the present writ petitions are disposed of with the observation that once the Notification dated 13.01.2010 (Annexure P-4) imposing the restrictions upon the use of the land owned by the petitioners has not been pressed, the petitioners will be at liberty to avail appropriate remedy for seeking compensation before



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appropriate authority in case they are found entitled for. In case, any such remedy is availed by the petitioners, the same will be decided in accordance with law including the provisions of Works of Defence Act, 1903 as expeditiously as possible preferable within a period of six months of availing of such remedy.

6. Civil miscellaneous application pending if any, also stands disposed of.

7. A photocopy of this order be placed on the file of other connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

November 20, 2025
harsha

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No