



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

**Civil Writ Petition No. 25755 of 2019 (O&M)
Date of Decision: 18.08.2025**

Rajinder Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karan Gupta, Advocate
for the petitioner.

Mr. Chetan Mittal, Senior Advocate, assisted by
Mr. R.S. Madan, Advocate and
Mr. Mayank Aggarwal, Advocate and
Mr. Mahender Joshi, Advocate
for respondent Nos. 2-NHAI.

Mr. Athar Ahmad, DAG, Punjab
for respondent Nos. 3 & 4.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present writ petition, seeks issuance of directions to the respondents for releasing the compensation assessed in terms of Supplementary Award dated 08.12.2015 (Annexure P-1) passed by Competent Authority Land Acquisition-cum-Sub Divisional Magistrate, Ludhiana (West), Punjab (respondent No. 3).

[2] A perusal of the record shows that the compensation assessed vide Supplementary Award dated 08.12.2015 was made subject to arbitration by learned Arbitrator-cum-Commissioner, Patiala Division, Patiala, who vide award dated 26.04.2021 made the following observations in para-12 thereof:-

“ 12. It is a matter of record that the acquired land of the applicants was mentioned agricultural in the revenue

record. Though learned counsel for the applicants had argued vehemently that the entire stretch of land in village Samrala had commercial value as many commercial establishments were operating on it, I do not find the argument a convincing one. It is not the future potentiality of the acquired land which has to be seen while determining its market value. It is the actual use to which it was being put immediately before the issuance of notification under Section 3-A of the Act. The applicants have failed to prove that any commercial activity was going on from the acquired land. There is nothing on the record file to suggest that on the acquired land any non-agricultural establishment was operating. The applicants did not adduce any evidence in support of their contention that the land was commercial in use. In view of the above, I am of the considered opinion that the land of the applicants was not commercial in use at the time of notification 3-A.”

[3] In view of the aforesaid observations made by the learned Arbitrator, no cause survives in the present petition; thus, the same is **dismissed**.

[4] The petitioner would be at liberty to avail his remedy in accordance with law.

[5] Pending miscellaneous application(s), if any, shall also stand disposed off.

August 18, 2025
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No