



CWP No.4131 of 2024 (O&M)

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

222-U

CWP No.4131 of 2024 (O&M)
Date of Decision:19.05.2026

JASDEEP SINGH

.....Petitioner

Vs

UNION OF INDIA AND OTHERS

....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Manoj Pundir, Advocate and
Mr. Digvijay Singh, Advocate for the petitioner.

Mr. Vibhor Bansal, Sr. Panel Counsel, UOI
for respondent No.1.

Mr. B.S. Sudan, Advocate
for the respondent/NHAI.

Mr. Karunesh Kaushal, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

[1]. By way of present writ petition, prayer has been made for issuance of directions to respondent nos.3 to 5 to release the benefit of 100% solatium in favour of the petitioner/landowner in terms of speaking order dated 25.01.2024 passed by respondent No.5. The operative part therefrom is extracted hereunder:-

"5. I have heard learned counsel for the applicant and NHAI and also perused relevant records on the file and observed that compensation in respect of land belonging to applicant was assessed and determined. vide Award dated 10.10.2014. However, in this case compensation amount was not paid by the stipulated/appointed date Le. 31.12.2014 as it was released by NHAI thereafter, which fact is abundantly evident from the account statement itself. Thus, in view of letter dated 03.02.2016 and guidelines dated 28.12.2017, issued by the Ministry of Roads Transport and Highways/NHAI, applicant is found entitled for compensation in accordance with the First Schedule of the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act No.30 of 2013, Solatium at the rate of 100% and interest. Accordingly, NHAI is directed to deposit the amount as reflected in the calculation sheet annexed herewith so that payment could be made to present



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applicant. The amount of Solatium at the rate of 30% already paid to present applicant, shall be adjusted/deducted, as per rules.

NHAI through its Project Director PIU Amritsar is directed to provide adequate funds so that the compensation amount could be disbursed to the present applicant.”

[2]. Learned counsel for the respondent-NHAI submits that the payment in terms of award dated 10.10.2014 was released to the petitioner-landowner only on 27.05.2015 and 07.08.2015. He further submits that the speaking order dated 25.01.2024 qua the 100% solatium passed by respondent No.5 being a supplementary award, the same has been challenged before the learned Arbitrator vide MA No.400 of 2024 which is pending consideration.

[4]. Having heard learned counsel for the parties, once the payment was released in favour of the petitioner-landowner after 01.01.2015, the amount towards 100% solatium payable to the petitioner-landowner ought to have been released under clause 4.6(iii)(b) of the guidelines dated 28.12.2017 issued by Ministry of Road Transport and Highway, Government of India which were further approved, endorsed and relied upon by the Hon’ble Supreme Court vide orders dated 23.09.2022 and 01.12.2025 passed in the case of ***Sanwarmal Singhaniya Memorial Trust & Anr. Vs. National Highways Authority of India (Misc. Application No.1172 of 2021)*** and ***(Misc. Application Diary No.45267/2023)***.

[5]. Moreover, similar issue with respect to the payment of 100% solatium stands decided by this Court vide order dated 06.04.2026 passed in ***CWP No.6255 of 2024 titled ‘Sukhdev Singh Vs. Union of India and others’*** wherein land forming part of District Sangrur was acquired and the Award under Section 11 was passed on 20.10.2014; however compensation amount with respect to the acquired



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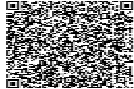
land was released to the landowner only after 01.01.2015. Relevant portion from paragraph nos.9 of the said judgment is extracted hereunder:-

*“[9]. From the reply filed on behalf of respondent No.2-NHAI (in CWP-6255-2024), it is evident that after passing of the award by CALA on 20.10.2014, the compensation amounting to Rs.154,86,14,840/- was deposited by NHAI with CALA on 24.12.2014. However, there is no positive averment made in the reply that the compensation amount with respect to majority of land holdings under present acquisition was released to the landowners as on 31.12.2014. Even, today, no document or information to such effect has been brought to the notice of this Court, as such, in the humble opinion of this Court, once the amount was released to the beneficiary-landowner(s) only after 01.01.2015, they were entitled for award of 100% solatium under clause 4.6(iii)(a) of the guidelines dated 28.12.2017 issued by the Ministry of Road Transport and Highways, Government of India as despite the announcement of award dated 20.10.2014 i.e. prior to 31.12.2014, the compensation has not been paid in respect of majority of land holdings under acquisition as on 31.12.2014. Consequently, in terms of the said guidelines as well as the judgment passed by the Hon’ble Apex in case of **Sanwarmal Singhaniya Memorial Trust & Anr (supra)**, the petitioners are held entitled for award of solatium @100% as per First Schedule of the 2013 Act. xxx xxx.”*

[5]. Applying the abovesaid, the present writ petition is allowed. Respondent Nos.3 and 4 are directed to release benefit of 100% solatium in favour of the petitioner-landowner along with other benefits including the statutory interest in terms of decision passed in **Sukhdev Singh’s case (supra)**. The amount be deposited by respondent Nos.3 and 4 with respondent No.5 within four weeks from today and the same be disbursed by respondent No.5 in favour of the petitioner-landowner within two weeks thereafter.

[6]. It is made clear that in case the needful is not done within the stipulated time, respondent Nos.3 and 4 shall be liable to pay cost(s) of Rs.50,000/- to the petitioner-landowner. The amount of cost(s) shall be borne by the concerned

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officials from their personal pocket and the same shall not be treated as a burden on the State Exchequer. Further the petitioner-landowner would also be at liberty to seek revival of the present writ petition.

[7]. Pending application(s), if any shall also stand disposed of.

May 19, 2026
Atik

(HARKESH MANUJA)
JUDGE

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