

2026:PHHC:084353



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

**CWP No.12178 of 2021 (O&M)
Date of Decision:26.05.2026**

Dhir Singh and others

.....Petitioners

Vs

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ranjit Saini, Advocate
for the petitioners.

Ms. Komal Bishnoi, Advocate for
Mr. Rishi Kaushal, Advocate,
for respondent-NHAI.

Ms. Komal Sharma, DAG, Haryana.

HARKESH MANUJA, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India. The limited relief sought is for directing the respondents to grant 100% solatium along with interest to the petitioners as per the provisions of Section 30 and The First Schedule of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, "2013 Act") for the land acquired under the National Highways Act, 1956 (for brevity, "1956 Act") in view of the MoRTH guidelines dated 28.12.2017.
2. The claim is based on the guidelines/letter dated 28.12.2017 issued by the Ministry of Road Transport and Highways regarding the grant of benefit of 2013 Act to the landowners.

3. In short, the stand of the petitioners is that certain land owned by them was acquired by NHAI vide Notification dated 05.07.2013 and 04.02.2014 issued under Sections 3-A and 3-D respectively of the 1956 Act, for public purpose namely, *“for building (widening/four laning) maintenance, management and operation of National Highway No.15 on stretch of land from K.M. 112.575 to kilometers 116.650 (Amritsar Section) in District Amritsar”*. The award dated 10.10.2014 was passed by respondent No.3 (Annexure P-1), whereby solatium at 30% was granted alongwith other statutory benefits. The grouse thus is that in view of the abovesaid letter/guidelines, the solatium has to be granted @ 100% alongwith interest.

4. Learned counsel submits that the award dated 10.10.2014 was passed by respondent No.3 (Annexure P-1), whereby solatium at 30% was granted and the representation/legal notice dated 12.04.2021 (Annexure P-6) has already been moved before the respondents that the amount was paid to the petitioners only after 01.01.2015 i.e. much after the relevant date i.e. 31.12.2014 fixed by the NHAI and, therefore, the petitioners are entitled for the benefit of 100% solatium, alongwith interest.

5. Keeping in view the controversy involved, there is no requirement as such to call upon for reply on behalf of the respondents as it would delay the proceedings further.

6. Without commenting upon the merits of the case and also about the entitlement of the petitioners, the present writ petition is disposed of with direction to respondent No.3 to take a decision on the legal notice dated 12.04.2021 (Annexure P-6) and pass a speaking order within a period of two months from the

date of receipt of certified copy of the order by associating concerned Project Director-NHAI with the said process.

7. In case, the petitioners' case is covered under the abovesaid guidelines/letter dated 28.12.2017 necessary award be passed and the amount if so payable, the same be disbursed to the petitioners within a period of three months thereafter.

8. The writ petition is accordingly, disposed of. Pending application(s), if any shall also stand disposed of.

May 26, 2026
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(HARKESH MANUJA)
JUDGE

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