



LPA-595-2022 (O&M) 1

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

**(220) LPA-595-2022 (O&M)
Date of Decision : February 09, 2026**

Ramphal Singh .. Appellant

Versus

Union of India and others .. Respondents

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

Present: Mr. Ishnoor Singh, Advocate, for
Mr. Vikram Singh, Advocate, for the appellant.

Service upon respondent No.1 dispensed with
vide order dated 23.02.2023.

None for respondents No. 2 & 4 to 6.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the appellant submits that the appellant has been given the option by learned Single Judge to avail the remedy before the Civil Court whereas, the authorities concerned should have relegated the issue to the Civil Court as per sub-Section 4 of Section 3-H of the National Highway Act, 1956.

2. Learned counsel for the appellant further submits that though, the dispute is between the co-sharers and the land in question has already been partitioned, which partition is already under challenge in CWP No.170 of 2022 titled as Ramphal Singh and others vs. State of Haryana and others, the decision qua the apportionment of the compensation should have been made subject to the outcome of the same, which has not been done by the learned Single Judge.

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3. Keeping in view the totality of the circumstances, as the respondents have not appeared despite service and even the National Highway Authority is not appearing though being served, any decision qua the apportionment of the compensation favouring any of the co-sharers based upon the partition proceedings, which are under challenge before this Court, the same will be subject to the outcome of CWP No.170 of 2022 and in case after the decision of the writ petition, the appellant is found entitled to any such compensation, he will be at liberty to claim the same in accordance with law.

4. The present appeal is disposed of in above terms.

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

(HARSIMRAN SINGH SETHI)
JUDGE

February 09, 2026*harsha***(VIKAS SURI)****JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No