CNR No:PHHC011287552024
2026:PHHC:102599

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-26356-2024 (O&M)
Date of Decision: 27.07.2026

LAKHVIR SINGH CHAHAL

…Petitioner

Versus

UNION OF INDIA AND OTHERS

…Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gurbir Singh Sidhu, Advocate for petitioner

Mr. Gunjan Mehta, Additional Advocate General, Punjab

Mr. Suvir Kumar, Advocate for respondent-NHAI

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JAGMOHAN BANSAL, J. (ORAL)

1. On 27.05.2026, following order was passed: -

> *"The prayer in the writ petition is for release of amount of compensation to the petitioner as against the utilization of 9.33 marlas of land forming part of Khewat No. 109/96 min, Khatoni No. 231, Khasra No. 2156/3 (0-14) situated in Village Dhanaula, District Barnala.*
> *2. The short grouse raised on behalf of the petitioner is that in terms of the notification dated 25.05.2012 issued under Section 3-A of the National Highways Act, 1956, (for short 'the 1956 Act') the abovesaid portion of the petitioner's land, forming part of the revenue estate of Village Dhanaula was acquired for public purpose, namely, 'for building (widening/ four laning etc.), maintenance, management and operation of National Highway No.64, on the stretch of land from Km. 50.700 to Km. 209.500 (Patiala-Bathinda) of Barnala Section". Thereafter, an Award under Section 3-G of the 1956 Act was passed by the LAC-cum-SDM, Barnala on 20.01.2014; however the said land was not reflected in the award. Learned counsel further submits that despite repeated representations/reminders to the respondents, no effort was*

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ever made either to demarcate the land owned by the petitioner for the purpose of assessing compensation or to disburse the same. Left with no efficacious remedy, the petitioner approached this Court by way of the present writ petition.

3. In response, learned counsel for respondent NHAI informs that on the basis of demarcation report of dated 07.11.2025, it was found that 9.33 marla of land forming part of the abovestated khasra number owned by the petitioner stood utilized for aforementioned public purpose. Admittedly, the demarcation was carried out in the presence of all the stake-holders i.e. petitioner, representatives of NHAI PIU Bathinda as well as the revenue officials.

4. I have heard learned counsel for the parties and perused the paper-book.

5. In the present case, it is not in dispute that certain land was acquired for the aforementioned public purpose by PWD B&R, Punjab, however, the said part of the State Highway was transferred to the NHAI in the year 2021. Further, though a period of more than 06 months has elapsed from the date of the demarcation report, yet no concrete effort has been made on the part of respondent NHAI i.e. respondents No.2 and 3 to release the amount of compensation in favour of the petitioner, neither the land owned by the petitioner has been notified afresh in terms of Section 3-A of the 1956 Act; nor any process with respect to the settlement award as per their own policy decisions has been initiated.

6. Learned counsel for NHAI, on instructions from PIU, Bathinda, submits that the payment of compensation shall be released to the petitioner within 06 weeks from today along with all other statutory benefits and interest.

7. However, it is made clear that in case respondents No. 2 and 3 fail to abide by their above mentioned undertaking, the Projector Director, NHAI, PIU, Bathinda and Mr. Rakesh Kumar, RO Chandigarh, shall each pay costs of Rs.1 lakhs each to the petitioner from their own pocket.

8. Be shown in the urgent list, henceforth."

2. Learned State counsel submits that National Highway Authority of India (for short 'NHAI') has conceded that land in question was acquired and utilized, however, was not part of different notifications issued under National Highway Act, 1956 (for short '1956 Act'). The NHAI is ready to pay compensation treating the land as agricultural land whereas petitioner is claiming as non-agricultural land.

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3. Learned counsel for NHAI submits that land was acquired vide award dated 20.01.2014. The notification under Section 3A of 1956 Act was issued on 25.05.2012 which was followed by notification dated 03.05.2013. The land in dispute stands identified and NHAI is not disputing its liability, however, quantum is disputed.

4. This Court cannot determine quantum of compensation. If the State believes that petitioner is entitled to compensation more than conceded by NHAI, it is at liberty to release said amount and pursue the matter with NHAI. In the alternative, it may pass an order, after associating NHAI, determining the nature of land and amount to be paid to the petitioner, in accordance with statutory provisions. Let the needful be done within 6 months from today.

5. Disposed of in above terms.

6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

27.07.2026
SDK

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

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