

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

CWP No. 7343 of 2021 (O&M)

Date of decision : 31.3.2021

Ranbeer and another Petitioners
versus
The Project Director, NHAI, Administrator
and another ... Respondents

Coram: **Hon'ble Mr. Justice Jaswant Singh**
 Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present Mr. Kartar Singh Malik, Advocate, for the petitioners.

[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.]

Jaswant Singh, J. (Oral)

Two petitioners – Ranbeer and Kapur Singh are permanent residents of village Pauli, Tehsil Julana, District Jind. It is not disputed that portion of their land, where their houses are constructed, was acquired by the Ministry of Road and Surface Transport, vide notification dated 4.7.2012 for widening of Four-Lane National Highway No. 71, between Jind and Rohtak.

The grievance now raised is against the show cause notices dated 10.3.2021 (**Annexures P-12 and P-13**) issued under Sub-Section 2 of Section 26 of the Control of National Highways (Land and Traffic) Act, 2002, requiring the petitioners to demolish their unauthorized constructions raised on the acquired land. The claim of the petitioners is that neither the land, upon which construction is sought to be demolished, was acquired nor the compensation paid.

After hearing learned counsel for the petitioners, we find that the present writ petition is premature as the petitioners are free to bring all the necessary facts on record in their replies to the show cause notices dated 10.3.2021 (**Annexures P12 and P-13**) and the authorities would be bound to deal with the factual aspects, in accordance with law. Still further, the petitioners have a remedy of appeal under the said statute.

In view of the above, we find no merit in the petition to exercise writ jurisdiction. The same is accordingly dismissed.

(Jaswant Singh)
Judge

31.3.2021
vs

(Jasgurpreet Singh Puri)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable	Yes/No