
(2021) 06 UK CK 0091

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1589 Of 2018

Bheem Bahadur Singh

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 22-06-2021

Acts Referred:

Citation : (2021) 06 UK CK 0091

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Kurban Ali, Devesh Ghildiyal, Km. Meenu

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. According to the petitioner, land belonging to his family situate in Village Rampura, Tehsil Sitarganj, District Udham Singh Nagar was acquired for construction of National Highway.

2. By means of this writ petition, petitioner has sought the following reliefs:

â??(I) Issue an appropriate writ order or direction in the nature of Mandamus commanding and directing the respondent concerned authority to

forthwith release the compensation amount of the land so acquired by the authority in favor of the petitioner.

(II) Issue a writ order or direction in the nature of Mandamus commanding and directing the respondent not released the compensation amount in

favor of the respondent no. 4.â??

3. Learned counsel appearing for respondent no. 4 submits that her client is entitled to the amount of compensation and not the petitioner.

4. Without expressing any opinion on the rival contentions raised by learned counsel for the parties, the writ petition is disposed of with liberty to petitioner to make representation to Competent Authority, Land Acquisition under National Highways Act, 1956. If such representation is made within two weeks from today, the Competent Authority, Land Acquisition shall consider and decide the same, in accordance with law, within a period of eight weeks from the date of receipt of representation alongwith certified copy of this order.

5. It goes without saying that, before taking any decision, the Competent Authority, Land Acquisition shall also afford reasonable opportunity of hearing to respondent no. 4.