

(2021) 01 UK CK 0020

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 556 Of 2017

Harbhajan Singh & Others

APPELLANT

Vs

Government Of India & Others

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Citation : (2021) 01 UK CK 0020

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : M.S. Bisht, Naresh Pant, Pawan Mishra, Charanjeet Kaur

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

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

i. issue a suitable writ, order or direction in the nature of mandamus directing the respondents not to interfere in the land of petitioners in

dispute without following the procedure as provided under the National Highways Act, 1956.

ii. issue a suitable rule, order or direction in the nature of mandamus directing the respondents to compensate all sorts of damages with regard to

demolition of 32 shops worth amounting to Rs. 1.6 Crores with interest which occurred to the petitioners by the illegal and arbitrary acts of the respondents.

iii. issue a suitable rule, order or direction in the nature of mandamus directing the respondent no. 6 to initiate a proper enquiry regarding the demolition of petitioners' shop without following the mandatory provisions of law.

2. Ms. Charanjeet Kaur, learned counsel appearing for respondent no. 5 and Mr. Naresh Pant learned counsel appearing for respondent no.3 made a

statement that land of the petitioners was acquired under provisions of National Highways Act and compensation, as determined by Competent

Authority, Land Acquisition, has been paid to them. They further submit that the work of construction of National Highway is complete.

3. In such view of the matter, reliefs, as claimed in the writ petition, do not survive.

4. Accordingly, writ petition is dismissed.