
(2021) 07 UK CK 0225

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1230 Of 2021

Jagdish Chandra Sharma & Others

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 29-07-2021

Acts Referred:

Citation : (2021) 07 UK CK 0225

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Rajeev Pathak, T.S. Phartiyal, Naresh Pant

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties through video conferencing.
2. Petitioners are resident of Village Amori, District Champawat. According to them, their residential house adjacent to National Highway No. 125 has developed cracks due to removal of the retaining wall, which was constructed by the petitioners for protecting their house.
3. Learned counsel for the petitioners submits that National Highway Division has deposited the amount of compensation payable to the petitioner with the Competent Authority, Land Acquisition/ Sub Divisional Magistrate, Champawat, however, the Sub Divisional Magistrate, Champawat is not releasing the amount payable as compensation to the petitioners.
4. Having regard to the facts and circumstances of the case, this Court thinks that ends of justice would be met, if petitioners are permitted to make representation to the Competent Authority, Land Acquisition/Sub Divisional Magistrate, Champawat for releasing the amount of compensation, who

shall look into the matter and take appropriate decision, in accordance with law.

5. Accordingly, the writ petition is disposed of with liberty to petitioners to make joint representation to the Competent Authority, Land Acquisition/Sub

Divisional Magistrate, Champawat within ten days from today. If such representation is made within stipulated time, the Competent Authority, Land

Acquisition/Sub Divisional Magistrate shall look into the matter and take appropriate decision, in accordance with law, within a period of six weeks

from the date of receipt of representation alongwith certified copy of this order.