

8LAC2/24UNION OF INDIA Vs. DHANESH KUMAR JAIN

11.09.2024

Present : Sh. Sarthak, Ld. Counsel for UOI along with
Patwari, Sh. Yogesh Kumar.
Sh. R.S. Verma, Ld. Counsel for IP No.1.
Sh. S.S. Sejwal, Ld. Counsel for legal heirs of
IP Nos.3 & 6 and IPs No.4, 5 and 7 to 11.

1. Memorandum under Section 3H of National Highway Authority Act, 1956 shows that the land acquired is related to village Tajpul. However, it is submitted that the Khasra numbers mentioned therein pertain to village Badarpur and not to village Tajpul.
2. During arguments, Ld. Counsel for IP No.1 has submitted that Sh. Dhanesh Kr. Jain is the legal heir of late Sh. Ram Pat Sahai Jain and Smt. Lal Mani Jain who were the recorded owners of the acquired land. However, only one legal heir has been made a party in the Memorandum under Section 3H of NHAI Act, 1956 and other legal heirs are not made parties therein.
3. In view thereof, the petitioner is directed to file fresh Memorandum under Section 3H of NHAI Act, 1956 incorporating the correct village and IPS.
4. Notice of the petition has not been served to IP No.2.
5. It is submitted that IP No.2 was the recorded owner of the acquired land.
6. In view of same, issue fresh notice to IP No.2 for service through LAC and report be filed on or before NDOH.

8. The claim petition has been filed in the present petition by IP No.1. Copy be supplied to Ld. Counsel for IP nos.3 to 11 as well.

9. List **for 13.11.2024.**

(Rahul Bhatia)
DJ-01 (South East) Saket Court
New Delhi/11.09.2024 (vg)