

Sohard Vs. Rameshwar Dass and others

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Present: Shri Dinesh Kumar, Advocate, counsel for petitioner Sohard & applicant Sukrita
Shri S.C. Dabra, Advocate, counsel for respondents no. 2 to 4
Sh. Aayush Sharma, learned counsel for performa respondent no.4
Respondent no.1 Rameshwar Dass exparte vide order dated 13.11.2025.

Heard on the application under Order 1 Rule 10 CPC for impleading Dr. Sukrita of village Ledi, Tehsil Chhachhrauli, District Yamuna Nagar as a party. It has been alleged that the applicant is the legally wedded wife of Rameshwar Dass. Accordingly, she is required to be impleaded as party.

The present reference was received under section 3H(4) of the National Highway Act, 1956 wherein, one Sohard claiming himself to be the son of Rameshwar Dass, who has challenged the disbursement of compensation amount to Rameshwar Dass, Rajinder Kumar, Maninder Kumar and Smt. Kamlesh Devi wife of Sh. Rameshwar Dass. While moving the application under Order 1 Rule 10 CPC Dr. Sukrita has not annexed any supportive documents qua her allegations. This Court while deciding on reference under section 3H(4) of the National Highway Act, 1956 has to decide the existing rights of the parties qua compensation. This Court cannot act as a Civil Court for declaration of rights. As applicant has not annexed any document to substantiate her rights, her request for being impleaded as party stands dismissed. However, this

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dismissal would not effect her right to go to the civil court for declaration of her status if any.

1. Whether the petitioner and respondents are entitled for apportionment of compensation in respect of the acquired land. If so, to what respective apportionment they are inter-se entitled? OP- petitioner and respondents.
2. Whether the present petition is not maintainable in its present form? OPR
3. Whether, this court has no jurisdiction to entertain and try the present petition? OPR
4. Whether the present petition is bad for non-joinder and mis-joinder of necessary parties ?OPR
5. Relief.

No other issue is pressed or claimed. Now to come up on **05.03.2026** for evidence of the petitioner to be recorded in the court through the Local Commissioner. List of witnesses, PF/DM be filed within seven days.

The evidence of petitioner and respondents are directed to be recorded through Local Commissioner as per provisions of Order 18 Rule 4(2) CPC.

Date of order:14.01.2026

(Sudeep Goel)
Additional District Judge,
Yamuna Nagar at Jagadhri.
(UID No.HR0171)

“suresh”

(Sudeep Goel)
ADJ, Jagadhri
HR0171