

CWPIL No.249 of 2017

22.11.2017 Present: Mr.Ramakant Sharma, Senior Advocate as Amicus Curiae.

Ms.Jyotsna Rewal Dua, Senior Advocate, with Ms.Charu Bhatnagar, Advocate, for NHAI with Lt. Mr.S.M. Swami, Project Director.

Mr.Ashok Sharma, ASGI, with Ms.Sukarma Sharma, Advocate, for Union of India.

MrShrawan Dogra, Advocate General, Mr.Anup Rattan, Mr.Romesh Verma, Additional Advocate Generals and Mr.J.K. Verma, Deputy Advocate General, for the respondents, for the State.

Mr.Pranay Pratap Singh, Advocate, for the Forest Corporation-respondent No.6.

Ms.Jyotsna Rewal Dua, Ld. Senior Counsel, has handed over affidavit dated 21st November, 2017, that of Mr.Sanwar Mal Swami, Project Director, NHAI, PIU, Shimla. Having perused the same, we delete respondents No.7 to 11 from the array of parties and implead Sub Divisional Magistrate-cum-Competent Authority for Land Acquisition, Nalagarh, Room No.13, Top Floor, Mini Secretariat Building, Nalagarh, District Solan, H.P.; District Revenue Officer-cum-Competent Authority for Land Acquisition, Panchkula, DC Office, Mini Secretariat, Sector-1, Panchkula (Haryana); and M/s Gifford India Pvt. Ltd. , Plot No.J-3/1, B-1 Extension, Mohan Co-operative Industrial Estate, New Delhi-110044 as party respondents No.7 to 9, respectively. Registry to carry out necessary correction in the memo of parties.

Notice to newly added respondents. Mr.Anup Rattan, Ld. Addl. AG, appears and waives the same on behalf of respondent No.7. Service of DRO-cum-CALA (respondent No.8) and M/s Gifford India Pvt. Ltd. (respondent No.9) be effected through Mr.S.M. Swami, Project Director.

From the affidavit, it is evident that acquisition proceedings in relation to 17 Kms of stretch to be constructed within the state of Himachal Pradesh is yet not complete. We direct the SDM-cum-CALA, Nalagarh (respondent No.7) as also DRO-cum-CALA (respondent No.8) to file status reports in relation to the same within a period of two weeks.

Mr.Anup Rattan, Ld. Addl. AG, undertakes to file affidavit of Principal Secretary (Forest) to the Govt. of H.P. with regard to the clearances under the environmental laws of land. NHIA shall also file affidavit with regard to the same before the next date.

List on 6th December, 2017.

(Sanjay Karol)
Acting Chief Justice

November 22, 2017
(vt)

(Tarlok Singh Chauhan)
Judge