

**CWPIL No. 249 of 2017**

10.10.2018 Present: Mr. Ramakant Sharma, Senior Advocate, as Amicus Curiae with Mr. Basant Thakur, Advocate.

Ms. Jyotsana Rewal Dua, Senior Advocate with Ms. Charu Bhatnagar, Advocate, for the respondent-NHAI.

Mr. Rajesh Sharma, Assistant Solicitor General of India, for respondent-Union of India.

M/s. J.K. Verma, Adarsh Sharma and Ashwani Sharma, Additional Advocate Generals for the respondents-State.

The issue involved in this public interest litigation pertains to four laning of Pinjore-Baddi-Nalagarh stretch of National Highway No. 21-A. It appears that Ministry of Road Transport and Highways, Government of India has an objection against the rate of land acquisition as determined in the States of Haryana and Himachal Pradesh.

In our considered view, the National Highways Act, 1956, provides an effective mechanism for determination of cost of acquisition and such a remedy can be availed by National Highways Authority of India as well as land owners. Needless to say that the project should not be stalled or delayed on account of such a dispute.

Be that as it may, with a view to give an opportunity to resolve the controversy, we direct the Ministry of Road Transport and Highways, Government of India, to convene a meeting to be attended by both the Chief Secretaries of Haryana and Himachal Pradesh within three weeks and make an arrangement to resolve the

dispute at their end. However, if the stalemate continues, the ministry shall consider the desirability of according its approval to NHAI to proceed with the project without prejudice to the rights of the parties for re-determination of the compensation amount. Compliance report in this regard be filed by the next date.

Post on **30.11.2018.**

***Copy dasti.***

**(Surya Kant)  
Chief Justice**

**October 10, 2018**  
(BSS/narender)

**(Ajay Mohan Goel),  
Judge**