

CWPIL No 249 of 2017

10.01.2018 Present:- Mr. Basant Thakur, Advocate, vice counsel for Amicus Curiae.
Ms. Jyotsna Rewal Dua, Senior Advocate with Ms. Charu Bhatnagar, Advocate, for NHAI with Mr. S.M.Swami, Project Director, PIU, Shimla.

Mr. Rajesh Sharma, ASGI, for Union of India.

Mr. Ashok Sharma, Advocate General, with Mr. M.A. Khan, Mr. Varun Chandel, Addl. A.Gs and Mr. J.K.Verma, Dy. A.G. for the respondents-State.

Ms. Shrishti Chauhan, Advocate, vice counsel, for Forest Corporation.

Mr. Ashutosh Garg, SDM-cum-CALA, present in person.

From the affidavit of Mr. Ashutosh Garg, Sub Divisional Officer, Nalagarh, who is also Competent Authority for Land Acquisition (CALA), it reveals that now only an amount of ₹38 crores approximately, is required to be disbursed to the rightful claimants, which the officer undertakes to do so within a period of 2½ months from today. This only pertains to the land so acquired for the project.

2. Insofar as the superstructure is concerned, Mr. J.K.Verma, learned Deputy Advocate General, under instructions, states that evaluation is underway. The needful shall personally be done within one month from today. Post evaluation all cases shall be forwarded to H.P.P.W.D. for verification and further to CALA for passing of the award(s).

3. Mr. J.K.Verma, learned Dy. Advocate General states that verification process on receipt of cases shall be completed within a period of two weeks thereafter and award(s) shall be passed within a period of two months thereafter. Ms. Jyotsna Rewal Dua, Senior Advocate, under instructions from Mr.S.M.

Swami, Project Director, that within one week from the passing of the award(s), the amount shall be deposited with CALA for disbursement.

4. Mr. J.K. Verma, learned Dy. Advocate General, states that an endeavour shall be made to immediately disburse the amount to the rightful claimants, which process shall be completed within a period of two weeks thereafter. Also, wide publicity shall be given to enable the rightful claimants to take appropriate steps for disbursement of the amount(s).

5. Insofar as the execution of the work is concerned, Ms. Jyotsna Rewal Dua, Senior Advocate, states that the process of bidding and finalizing the contract shall positively be completed within this financial year. Let Sh. S.M. Swami, Project Director, file his personal affidavit to such effect.

6. We further direct that the process for obtaining clearances under the Forest Conservation Act, if any, shall be completed before the work is awarded to the Contractor. Mr. Rajesh Sharma, learned Assistant Solicitor General of India, Mr. J.K. Verma, learned Deputy Advocate General and Ms. Jyotsna Rewal Dua, Senior Advocate, undertake to coordinate the same amongst themselves.

7. To monitor the progress, list the matter on **02.02.2018.**

Copy ***dasti.***

(Sanjay Karol),
Acting Chief Justice

January 10, 2018.
(GR/Pankaj)

(Tarlok Singh Chauhan),
Judge