

ITEM NO.1701

COURT NO.14

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Original Suit (s). No(s). 6/1996

THE STATE OF HARYANA DEPARTMENT OF IRRIGATION
THE SECRETARY

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.

Respondent(s)

(ONLY IA. NO. 65700 OF 2024 IN ORIGINAL SUIT NO. 6 OF 1996 WILL BE LISTED , IA No. 65700/2024 - CLARIFICATION/DIRECTION)

Date : 06-05-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.V.N. BHATTI
[IN CHAMBER]

For Parties

Ms. Pinky Anand, Sr. Adv.
Mr. Ashish Rana, AOR
Mr. Anurag Kr. Singh, Adv.
Ms. Saudamini Sharma, Adv.
Mr. Gaurav Raj, Adv.
Mr. Ritik Anmol, Adv.
Mr. Samrat Pasricha, Adv.

Mr. Shibu Devasia Olickal, AOR
Mr. Aditya Sharma, AOR

Mr. Shibu Devasia Olickal, AOR

Mr. Jagjit Singh Chhabra, AOR
Mr. Vinay K. Shailendra, Adv.
Mr. Ajay Pal, Adv.
Mr. Saksham Maheshwari, Adv.

Mr. Wasim S Quadri, Sr. Adv.
Mr. Arvind Kumar Sharma, AOR2

Ms. Nidhi Jaswal, AOR

UPON hearing the counsel the Court made the following
O R D E R

I have heard the learned counsel appearing for the

parties.

The State of Haryana has placed its views and also a few

contd..

conditions by referring to which the prayers of National Highways Authority of India (NHAI) could be considered by this Court.

Learned counsel appearing for the State of Punjab referring to the instructions received in this behalf states that if this Court considers the prayers as made, the State of Punjab will grant the permissions/clearances, as may be required for grounding and completing the subject project. Incidentally, the counsel raises a point seeking clarification from NHAI on the ownership of land on which the foundation is laid and the bridge constructed. According to him, NHAI ought not to be claiming ownership to the place occupied for resting the footings, pillars etc. According to the State of Haryana, it has contributed for the said project and the compensation for this land was paid by the State of Punjab and the ownership continues to go with the State of Punjab.

So, the stand taken by the NHAI in paragraph 14 of the application needs clarification. Further, the ownership issue of acquired land is *sub judice* in this Court.

Learned senior counsel appearing for the NHAI requests a week time to clarify the stand of NHAI.

List on 13.05.2024.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

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parties.

The State of Haryana has placed its views and also a few conditions by referring to which the prayers of National Highways Authority of India (NHAI) could be considered by this Court.

Learned counsel appearing for the State of Punjab referring to the instructions received in this behalf states that if this Court considers the prayers as made, the State of Punjab will grant the permissions/clearances, as may be required for grounding and completing the subject project. Incidentally, the counsel raises a point seeking clarification from NHAI on the ownership of land on which the foundation is laid and the bridge constructed. According to him, NHAI ought not to be claiming ownership to the place occupied for resting the footings, pillars etc. because the State Government has paid the compensation to this land and the ownership continues to go with the State of Punjab.

So, the stand taken by the NHAI in paragraph 14 of the application needs clarification of matter. Further, the ownership issue of acquired land is *sub judice* in this Court.

Learned senior counsel appearing for the NHAI requests a week time to clarify the stand of NHAI.

List on 13.05.2024.

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