

Court No. - 21

Case :- WRIT - C No. - 37029 of 2023

Petitioner :- Amarjeet Singh

Respondent :- Union Of India And 4 Others

Counsel for Petitioner :- Bhagwan Dutt Pandey, Brijendra Kumar Srivastava

Counsel for Respondent :- A.S.G.I., Paras Nath Rai

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus directing the second respondent to pay compensation to the petitioner in lieu of acquisition of his land bearing Araj No. 40, 46 & 41 total area 0.025 hectare village Mudila, Tehsil Nautanwa, District Maharajganj, and for a further direction to decide his representation dated 04.09.2023.
2. The case of the petitioner is that the respondents have not paid compensation to him so far, although it was acquired by notification dated 04.04.2022.
3. Shri Paras Nath Rai, learned counsel appearing on behalf of respondents No. 1, 3 & 5 on instructions states that an award was made in respect of the subject land on 02.07.2022 and it is open to the petitioner to withdraw the amount by moving appropriate application before the Competent Authority. He also submits that in case petitioner is aggrieved by the impugned award, he can avail the remedies provided under the Act.
4. We find considerable force in the submission of learned counsel for the respondents. As award has already been made, therefore, it is open to him to withdraw the compensation amount without prejudice to his rights. In case, he feels aggrieved by the impugned award, he can avail the remedies provided under the National Highways Act, 1956.
5. The petition stands disposed of accordingly.

Order Date :- 22.11.2023

Mukesh Kr.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)