

Court No. - 21

Case :- WRIT - C No. - 38905 of 2023

Petitioner :- Kanwar Pal And 5 Others

Respondent :- Union Of India And 3 Others

Counsel for Petitioner :- Vivek Kumar Maheshwari, Dharendra Singh Patel, Sr. Advocate

Counsel for Respondent :- A.S.G.I., C.S.C.

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for quashing of the award dated 1.6.2023 passed by Competent Authority in Case No. 2 of 2022, under Section 3-G(1) of the National Highways Act, 1956.
2. The award of the Competent Authority is being challenged on the ground that the land is abadi in nature and valuation of the acquired structure was not done properly.
3. Under sub-section (5) of Section 3-G, any person not satisfied by the amount awarded by the Competent Authority has the remedy of approaching the Arbitrator.
4. Having regard to the availability of alternative statutory remedy, we are not inclined to examine the claim for higher compensation in exercise of writ jurisdiction.
5. The petition is disposed of with liberty to the petitioners to avail the statutory remedy, if so advised.

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

Order Date :- 8.11.2023

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