

Court No. - 21

Case :- WRIT - C No. - 41320 of 2023

Petitioner :- Smt Raj Kumari

Respondent :- Union Of India And 3 Others

Counsel for Petitioner :- Vijay Prakash Chaturvedi, Sanjai Kumar Pandey

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

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. Heard Sri Vijay Prakash Chaturvedi, learned counsel for the petitioner, Sri Gautam Kumar Upadhyaya, learned counsel for the respondents and Sri Rajiv Gupta, learned Additional Chief Standing Counsel for the State-respondents.
2. The instant petition has been filed praying for a direction to respondent no. 3 to decide the objection of the petitioner dated 11.10.2023 in respect of the compensation amount payable to her in lieu of acquisition of her land.
3. Indisputably, an award has been made by the Competent Authority on 31.01.2023 which covers the land of the petitioner as well.
4. In our considered opinion, in case the petitioner has any grievance in respect of the amount determined under the award, the remedy is to seek reference under Section 3G(5) of the National Highways Act, 1956. The prayer for direction to the Competent Authority to decide the objection after award has already been made is wholly misconceived and against the scheme of the Act.
5. Accordingly, we **dispose of** the instant petition with liberty reserved in favour of the petitioner to avail statutory remedy, if so advised.

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

Order Date :- 1.12.2023

Ruhi H.